

CHAPTER IV

ENVIRONMENTAL REVIEW

INTRODUCTION

All projects and project activities undertaken by CDBG Responsible Entities (RE)/grantees are subject to the provisions of the *National Environmental Policy Act of 1969*, as amended (NEPA), which established national policies, goals, and procedures for protecting, restoring and enhancing environmental quality. In addition to NEPA requirements, CDBG-funded projects are also subject to other related laws and Federal, State, and local authorities addressed in this chapter.

The NEPA created the *Council for Environmental Quality* (CEQ). The CEQ helps ensure that Federal agencies implement regulations so that environmental values are given appropriate consideration and decision-making in Federally-assisted or permitted actions. The CEQ analyzes and interprets environmental trends and are conscious of and responsive to economic, social, aesthetic, and cultural needs and interests of the Nation and formulate and recommend national policies to promote the improvement of the quality of the environment. Procedures within Federal Government programs must ensure that environmental information is available before decisions are made and before actions are taken.

CDBG recipients, known as Responsible Entities under HUD regulation, are required to follow specific procedures for carrying out Federal environmental review responsibilities as specified in **24 CFR Part 58**. A copy of this regulation is contained in the CDBG Environmental Resource Manual and may also be accessed on the Internet at the following link:

http://www.access.gpo.gov/nara/cfr/waisidx_04/24cfr58_04.html.

Every project requires some level of environmental review. As a recipient of CDBG funds, The RE/grantee is responsible for evaluating how the project effects the environment and what impact the environment may have on the project, both short term and cumulative, long term impacts. The environmental review is a means by which we can improve the quality of projects, protect the environment, and aid the lives of people who will benefit. The environmental review, especially when started *EARLY*, will save time and money in the long run.

PLEASE BE AWARE!

The Responsible Entity/grantee cannot obligate CDBG funds or expend funds from *any* source (private or otherwise) for use in a CDBG-funded project; and no new construction, demolition, rehabilitation, repair, modification, or acquisition of property can commence, nor commitment made to undertake such activities, until the environmental review is complete and the MO Department of Economic Development has issued a formal release of funds.

**FAILURE TO COMPLY WITH THESE REQUIREMENTS WILL
JEOPARDIZE CDBG FUNDS FOR USE IN YOUR PROJECT**

HUD/CDBG ENVIRONMENTAL LANGUAGE

Following are commonly used terms in the HUD/CDBG environmental review process. It is important to know the terms and to use the accepted language specific to the governing Federal environmental regulation 24 CFR Part 58. Knowledge of the terms and language will provide a better understanding of and ensure greater compliance with CDBG Environmental Review requirements, helping to ensure that communication is clear among all parties involved. A determined effort should be made to become familiar with all aspects of 24 CFR Part 58.

Activity – An action by an applicant, grantee, or sub-recipient as part of a CDBG-assisted project regardless of whether the activity is paid with CDBG funds or other funding sources.

Certifying Officer – Chief elected official authorized to execute the Request For Release of Funds and Certification, who assumes the role of “*Responsible Federal Official*” under NEPA and related Federal laws and authorities, and who accepts the jurisdiction of the Federal Courts on behalf of the Responsible Entity in environmental matters.

Environmental Review Record (ERR) – A concise public record containing all original documentation related to the environmental review, decision-making and activities. The ERR must be made available at the RE location, that is, County Courthouse or City/Village Hall.

Project – An activity or group of activities designed by the recipient to accomplish, in whole or in part, a specific objective.

Project Aggregation – The grouping together and evaluation of all individual activities related on a geographical or functional basis or that are logical parts of a contemplated action.

Release of Funds – Official CDBG issuance of approval of the environmental review for a project. The release of funds is the State’s response to the submission by the Responsible Entity/grantee of a “Request For Release of Funds and Certification” (RROF/C) form.

Responsible Entity (RE) – Always a unit of general local government. The RE/grantee assumes environmental responsibility for a CDBG funded project through execution of a grant agreement with the State and/or certification of the RROF/C. compliance. Only a unit of local government may apply for CDBG funds, whether on behalf of itself or on behalf of an eligible sub-recipient. The RE/grantee ensures that any conditions, procedures, and requirements resulting from the environmental review process are incorporated in project plans and successfully implemented.

Sub-recipient/applicant – In the State CDBG Program, an eligible sub-recipient may be a State-recognized not-for-profit entity, public water and/or sewer district, fire district, ambulance district, or for-profit business or developer. The sub-recipient is urged to notify the RE/grantee immediately if there are changes proposed in the project or if a new alternative is selected.

COMMONLY USED ENVIRONMENTAL ACRONYMS

ACHP – Advisory Council on Historic Preservation
ACM – Asbestos Containing Material
ADT – Average Daily Traffic
APCP – Air Protection Control Program
APE – Area of Potential Effects
APZ – Accident Potential Zones
ASD – Acceptable Separation Distance
AST – Aboveground Storage Tanks
ASTM – American Society for Testing and Materials
CDBG – Community Development Block Grant
CENST – Categorically Excluded Not Subject To
CEST – Categorically Excluded Subject To
CERCLA – Comprehensive Environmental Response, Compensation and Liability Act
CFR – Code of Federal Regulations
CLG – Certified Local Government
COG – Council of Government
CEQ – Council on Environmental Quality
DED – MO Department of Economic Development
DNL – Day Night (average sound) Level
DNR – MO Department of Natural Resources
DOC – MO Department of Conservation
DOE – Department of Energy
EA – Environmental Assessment
EIS – Environmental Impact Statement
EJ – Environmental Justice
ESA – Endangered Species Act
US EPA – United States Environmental Protection Agency
ERR – Environmental Review Record
FEMA – Federal Emergency Management Agency
FIRM – Flood Insurance Rate Map
FONSI – Finding of No Significant Impact
FOSI – Finding of Significant Impact
HAP – Hazardous Air Pollutants

HUD – United States Department of Housing and Urban Development

LBP – Lead Based Paint

MOA – Memorandum of Agreement

MODOT – MO Department of Transportation

NAAQS – National Ambient Air Quality Standards

NAL – Noise Assessment Location

NEPA – National Environmental Policy Act

NESHAP – National Emission Standards for Hazardous Air Pollutants

NFIP – National Flood Insurance Program

NHPA – National Historic Preservation Act

NOI/RROF – Notice of Intent to Request Release of Funds

NPDES – National Pollutant Discharge Elimination System

NPS – National Park Service

NRCS – National Resources Conservation Service

NWI – National Wetlands Inventory

OSHA – Occupational Safety and Health Act

PA – Programmatic Agreement

RAP – Remedial Action Plan

RE – Responsible Entity (referred to as Grantee once a project is awarded CDBG funds)

RPC – Regional Planning Commission

RROF/C – Request For Release of Funds and Certification

SEMA – MO State Emergency Management Agency

SHPO – MO State Historic Preservation Office

SWD – Storm Water Discharge

UST – Underground Storage Tanks

URA – Uniform Relocation Act

USACE – United State Army Corps of Engineers

USDA – United State Department of Agriculture

USDA RD – United States Department of Agriculture Rural Development

USFWS – United States Fish and Wildlife Service

USGS – United States Geological Survey

VCP – Voluntary Cleanup Program

WSR – Wild and Scenic River

STEPS IN THE CDBG ENVIRONMENTAL REVIEW PROCESS

STEP 1: DESIGNATE THE PERSON(S) RESPONSIBLE FOR CARRYING OUT THE ENVIRONMENTAL REVIEW

The Responsible Entity (RE) is ALWAYS a unit of general local government (also known as a CDBG applicant, grantee, or recipient) who assumes the responsibilities for the environment review, environmental decision-making, and all environmental action. The RE must determine who is knowledgeable, qualified and experienced in assisting the RE in preparing documents that carry out the important environmental review responsibilities. ***Remember, the RE is solely accountable should issues arise – choose wisely!***

What makes a person qualified to carry out the environmental review process successfully?

1. **Knowledge** of the HUD/CDBG program and NEPA compliance requirements through previous grant management and regular participation at HUD/CDBG trainings, as well as local environmental issues, knowledge of rural community and regional needs, and various resources that are available
2. **Time** to conduct site visits, contact and consult with environmental regulatory agencies, analyze data and information, complete required forms and paperwork, maintain a complete ERR, communicate regularly with the RE, keep the review process moving, and ensure minimal mistakes are made
3. **Positive Partnerships** with the RE, CDBG staff, community resource agencies, and Federal and State environmental regulatory and funding agencies
4. **Resources** such as current CDBG forms, manuals, and training materials, and varied communication methods such as e-mail, fax, cell phone, and reliable means of transportation
5. **Flexibility** to be available to the RE at times that fit their schedules and needs
6. **Innovativeness** to recognize and address the unique needs of each rural community and the ability to make the most of limited resources available
7. **Desire** to ensure projects do not adversely impact the environment while ensuring the environment is compatible with the proposed project and all related activities

Commonly Used Options:

1. Use of existing RE staff persons (e.g., city engineer or planner)
2. Local Regional Planning Commissions/Councils of Governments
3. Private Grant Consultants/Administrators
4. Other Federal or State Environmental and/or Funding Agencies
5. Licensed or certified Engineers, Planners and Architects
6. Private Environmental Consultants/Agencies

PLEASE BE AWARE!

If CDBG funds are proposed to pay for any contract, the RE must follow CDBG procurement methods. If CDBG funds are not proposed, then the RE procurement methods apply.

STEP 2: CREATE THE ENVIRONMENTAL REVIEW RECORD (ERR) (24 CFR 58.38)

The RE/grantee must maintain a written record of the environmental review undertaken for each project and make the record available for public review at the RE address. The ERR must provide a clear description of the proposed project and environmental review process carried out from start to finish including, but not limited to, the following:

1. Complete and detailed project description, including all funding sources
2. Pre-existing environmental conditions of the project site
3. Completed CDBG approved environmental forms
4. Acceptable supporting documentation (maps, web-based material, color photographs, record of site visits and agency consultation, and agency comments and clearances)
5. Proof of compliance with NEPA and related laws and authorities
6. Conditions of environmental approval
7. All environmental studies required and completed
8. Mitigation measures required, completed, and the outcomes of each
9. Project and activity alternatives considered
10. Evidence of public involvement and published public notices
11. Environmental determination signed by the RE Certifying Officer
12. CDBG Request For Release of Funds
13. CDBG formal release of funds
14. Other information as recommended by CDBG and Federal and State environmental regulatory agencies

The ERR is a legal document. It is the best, and sometimes only, defense to prove that compliance was achieved with applicable laws and regulations. It should result in a complete record supporting each step of the environmental process ending in the final determination of the level of impact.

STEP 3: DEVELOP THE PROJECT DESCRIPTION

The project description is critical in determining the level of environmental review required. A cold reader should be able to clearly understand the scope, scale, nature and extent of the proposed project from the description in the ERR. At a minimum, the project description should contain the following:

1. ALL proposed project activities in detail, regardless of funding source
2. Entire project scope and all phases of the project from beginning to end
3. Exact project location, supported by a locational map
4. Photographs, site plans, project plans, renderings and maps (e.g., topographic, aerial)
5. Total project costs by all funding sources
6. Existing environment at and around the project site and how this is expected to change as a result of the project
7. Temporary impacts anticipated by construction activities and a timeline for construction
8. Other information as recommended by CDBG

STEP 4: DETERMINE LEVEL OF ENVIRONMENTAL REVIEW

24 CFR Part 58 provides instructions and guidance to the RE for conducting the required environmental review process. There are five levels of environmental review to consider:

1. Exempt
2. Categorically Excluded, Not Subject To 58.5 (CENST)
3. Categorically Excluded, Subject To 58.5 (CEST)
4. Environmental Assessment (EA)
5. Environmental Impact Statement (EIS)

Exempt Activities (24 CFR 58.34)

Exempt activities are those having no physical impact or resulting in physical change on the environment. Other than documenting the level of review as Exempt, the RE does not have to comply with actions under NEPA and other provisions of laws or authorities cited in §58.5. Funds from any source may be used for these purposes after the RE executes the CDBG funding contract known as the Funding Approval, and the Finding of Exemption form is completed and submitted to CDBG. The following activities are Exempt under section 58.34:

1. Environmental and other studies, resource identification and the development of plans and strategies;
2. Information and financial services;
3. Administrative and management activities;
4. Public services that will not have a physical impact or result in any physical changes, including but not limited to services concerned with employment, crime prevention, child care, health, drug abuse, education, counseling, energy conservation and welfare or recreational needs;
5. Inspections and testing of properties for hazards or defects;
6. Purchase of insurance;
7. Purchase of tools;
8. Engineering or design costs;
9. Technical assistance and training;
10. Assistance for temporary or permanent improvements that do not alter environmental conditions and are limited to protection, repair, or restoration activities necessary only to control or arrest the effects from disasters or imminent threats to public safety including those resulting from physical deterioration;
11. Payment of principal and interest on loans made or obligations guaranteed by HUD;
12. Any of the categorical exclusions listed in Sec. 58.35(a) provided that there are no circumstances which require compliance with any other Federal laws and authorities cited in Sec. 58.5.

Categorically Excluded Activities (24 CFR 58.35)

If an activity is determined not to be Exempt, the RE must determine if it is Categorically Excluded. Categorically Excluded activities are those *excluded from NEPA requirements, but may be subject to review under other Federal laws and authorities listed in 24 CFR 58.5*. There two classifications of Categorically Excluded activities, those listed under **58.35 (a)** and those listed under **58.35(b)**.

(a) **58.35(a) Categorically Excluded Activities SUBJECT TO 58.5 (CEST):**

The following activities may be subject to review under authorities listed in 58.5:

- (1) Acquisition, repair, improvement, reconstruction, or rehabilitation of public facilities and improvements (other than buildings) when the facilities and improvements are in place and will be retained in the same use without change in size or capacity of more than 20 percent (e.g., replacement of water or sewer lines, reconstruction of curbs and sidewalks, repaving of streets).
- (2) Special projects directed to the removal of material and architectural barriers that restrict the mobility of and accessibility to elderly and handicapped persons.
- (3) Rehabilitation of buildings and improvements when the following conditions are met:
 - (i) In the case of a building for residential use (with one to four units), the density is not increased beyond four units, the land use is not changed, and the footprint of the building is not increased in a floodplain or in a wetland;
 - (ii) In the case of multifamily residential buildings:
 - (A) Unit density is not changed more than 20 percent;
 - (B) The project does not involve changes in land use from residential to non-residential; and
 - (C) The estimated cost of rehabilitation is less than 75 percent of the total estimated cost of replacement after rehabilitation.
 - (iii) In the case of non-residential structures, including commercial, industrial and public buildings:
 - (A) The facilities and improvements are in place and will not be changed in size or capacity by more than 20 percent; and
 - (B) The activity does not involve a change in land use, such as from non-residential to residential, commercial to industrial, or from one industrial use to another.
- (4)
 - (i) An individual action on up to four dwelling units where there is a maximum of four units on any one site. The units can be four one-unit buildings or one four-unit building or any combination in between; or
 - (ii) An individual action on a project of five or more housing units developed on scattered sites when the sites are more than 2,000 feet apart and there are not more than four housing units on any one site.
 - (iii) Paragraphs (a)(4)(i) and (ii) of this section do not apply to rehabilitation of a building for residential use (with one to four units) (see paragraph (a)(3)(i) of this section).
- (5) Acquisition (including leasing) or disposition of, or equity loans on an existing structure, or acquisition (including leasing) of vacant land provided that the structure or land acquired, financed, or disposed of will be retained for the same use.
- (6) Combinations of the above activities.

(b) **58.35(b) Categorically Excluded Activities NOT SUBJECT TO 58.5 (CENST):**

HUD has determined the following activities do not alter any conditions that would require a review of compliance determination under Federal laws and authorities cited in 58.5

- (1) Tenant-based rental assistance;
- (2) Supportive services including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, short-term payments for rent/mortgage/utility costs, and assistance in gaining access to local, State, and Federal government benefits and services;
- (3) Operating costs including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment and other incidental costs;
- (4) Economic development activities, including but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses and similar costs not associated with construction or expansion of existing operations;
- (5) Activities to assist homebuyers to purchase existing dwelling units or dwelling units under construction, including closing costs and down payment assistance, interest buydowns, and similar activities that result in the transfer of title.
- (6) Affordable housing pre-development costs including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.
- (7) Approval of supplemental assistance (including insurance or guarantee) to a project previously approved under this part, if the approval is made by the same responsible entity that conducted the environmental review on the original project and re-evaluation of the environmental findings is not required under Sec. 58.47.

Environmental Assessment (EA) (24 CFR 58.36)

If project activities are not Exempt or Categorically Excluded, or do not meet the threshold of an Environmental Impact Statement (EIS - the highest level of review), an *Environmental Assessment* is required. The EA level of review involves examining feasible ways to eliminate or minimize adverse environmental impacts. Once actual and potential impacts as a result of project activities are identified, the RE must then assess if adequate and reasonable mitigation measures are feasible to undertake the project. It is at this point that the RE is then capable of choosing the best project alternative and related activities to meet the needs of the RE and its beneficiaries, while maintaining compatibility with the environment.

KEEP IN MIND!

The project is the aggregation of all geographically and functionally related activities that comprise the project as a whole, and this becomes the basis for the environmental review. A project is never parsed out into individual activities to enable separate, small-scale reviews. Rather, it is the project as whole that dictates the level of review that is required.

Once the level of environmental review is determined for your project, continue to STEP 5 - completing the review procedures that are applicable to the level of review required for your project and related activities. Document the finding of level of review by means of the 'Determination of Level of Review' form.

STEP 5 – PROCEDURES FOR APPLICABLE LEVELS OF ENVIRONMENTAL REVIEW

Exempt Projects and/or Activities (58.34)

A project may be determined Exempt where the project only consists of an exempt activity, such as only planning. Additionally, a project may be comprised of both exempt and non-exempt activities. In this circumstance, and only in this case, the exempt activities can be assessed separately in order to advance project development and/or payment.

Example: A CDBG project commonly includes both construction and grant administration activities. Construction is a physical activity that impacts the environment to some degree and will require an environmental review for the project as a whole – such as an Environmental Assessment level of review. However, grant administration is an Exempt activity that has no impact on the environment; therefore, funds may be expended for grant administration and the grant administration may begin prior to completion of the Environmental Assessment.

When, as in the example above, a project is separated into Exempt activities as well as those activities that require a higher level of review, more than one procedural step will apply. An Exempt determination is required in addition to the steps required to complete the environmental review. **It is important to remember that all Exempt activities included in your project must be documented in order to inform DED that compliance has been met and that funds are required and allowable for those activities.**

1. Complete the ‘**Determination of Level of Review**’ form *if the project as a whole is Exempt*.
2. Complete the CDBG ‘**Finding of Exemption**’ form identifying all activities in your project that are Exempt as cited in 58.34. File both forms in the ERR and submit copies to CDBG. It is acceptable to fax clear copies; however, mail originals to CDBG. If your project includes *only* Exempt activities, no further action is required. However, if there are any changes in the scope of the project or changes in project activities, they are subject to environmental review requirements.
3. If your project includes activities other than those deemed Exempt, determine the level of review required for the project as a whole and complete the procedures required for that review.

REMEMBER!

Completion of the ‘Finding of Exemption’ form is only required if the project solely consists of an exempt activity(ies), or if the project requires that some exempt activity(s) be undertaken in advance of the project as a whole. File the form in the ERR and submit a copy to CDBG.

Categorically Excluded Levels of Review

1. For activities that are Categorically Excluded SUBJECT TO other related Federal laws and authorities (58.35(a)), the following procedures are required:
 - a. Complete the ‘Determination of Level of Review’ form.
 - b. Complete and submit the Section 106 Project Information Form to SHPO for a clearance letter. The SHPO has a minimum of 30-days to review your information depending on if all required information is submitted and a request for more information is not needed. In some instances, this review period may be longer.
 - c. Complete the ‘Statutory Checklist’ and attach the ‘Determination of Level of Review’ form. If the project lies in a floodplain, the HUD 8-Step Decision Making Process applies.

Refer to the Statutory Checklist Floodplain Management Section for steps in this process. If applicable, follow and document all steps in the process. Publish the 'Early Public Notice', the initial floodplain notice, in a non-legal section of the newspaper of widest circulation, and observe the 15-day comment period, beginning the day after publication.

- d. Once all environmental clearances applicable to the project are received, submit the Statutory Checklist and all supporting documentation to the CDBG Environmental Review Officer for review. Once reviewed, publish the '**Notice of Intent**' (and '**Notice of Explanation**' floodplain notice, if applicable) in a non-legal section of the newspaper of widest circulation. Submit the notice(s) to the agencies listed on page IV-101 of this chapter. This notice requires a 7-day local comment period beginning the day after publication. Floodplain notices require their own comment periods – see HUD 8-Step Decisions Making Process in the Statutory Checklist. If any comments are received in writing, respond in writing, resolve the issues, and provide copies of all correspondence to CDBG.
 - e. Once the 7-day local comment period expires for the NOI and if applicable, comment period for the Notice of Explanation, submit a copy of the publication(s) and affidavit(s) of publication along with the Request For Release of Funds and Certification (RROF&C) to CDBG. It is acceptable to fax clear copies to expedite the comment period; however, originals must also be mailed to CDBG. Upon receipt of the above information, CDBG will begin a 15-day State comment period and the entire review process will be assessed.
 - f. On the 16th day, pending any conditions by other environmental agencies or concerned individuals and groups, CDBG will release funds by means of a '**Pre-Grant Award Environmental Approval Letter**' for proposed projects not yet funded and by means of the '**Authority to Use Grant Funds/Completion of Environmental Review Requirements**' for CDBG funded projects.
2. For activities Categorically Excluded NOT SUBJECT TO other related Federal laws and authorities (58.35(b)), the following procedure is required:
- a. Complete the 'Determination of Level of Review' form.
 - b. Complete the 'Categorical Exclusion Not Subject To Related Statutory Authorities' form and attach the 'Determination of Level of Review' form, and submit to the CDBG Environmental Review Officer for review. It is acceptable to fax clear copies; however, mail originals to CDBG.
 - c. Upon receipt and review by CDBG, the environmental review process is complete.

Environmental Assessment Level of Review (58.36)

The project/activities not deemed Exempt or Categorically Excluded, **require** the completion of an '**Environmental Assessment**' along with the applicable environmental notices and comment periods described below.

1. Complete the 'Determination of Level of Review' form.
2. Complete and submit the 'Section 106 Project Information Form' to SHPO for a clearance letter. The SHPO has a minimum of 30-days to review your information depending on if all required information is submitted and a request for more information is not needed. In some instances, this review period may be longer.

3. Complete the Environmental Assessment, document the finding of level of impact and submit the assessment and all supporting documentation to the CDBG Environmental Review Officer for review. After review, publish the applicable public notices.

Note: If USDA Rural Development or MO Department of Natural Resources is involved in the project, grantees may adopt their environmental assessments as long as **all project activities, regardless of the funding source, are addressed and ALL CDBG environmental impact areas are addressed.** The RE Certifying Officer must sign off on the assessment. If other Federal or State Agency Environmental Assessments are considered, contact CDBG first.

4. If the project lies within a floodplain or wetland, the **HUD 8-Step Decision Making Process** (see Environmental Assessment Floodplain Management section) applies including publishing the 'Early Public Notice' in the non-legal section of the newspaper. This notice requires a 15-day comment period beginning the day after publication. If any comments are received in writing, respond in writing, resolve issues, and provide copies of all correspondence to CDBG.
5. Publish the 'Combined Notice' (Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds, and if applicable, the Notice of Explanation), in the non-legal section of the newspaper. Submit notice(s) to the agencies listed on page IV-101 of this chapter. Observe the 15-day local comment period beginning the day after publication. If any comments are received in writing, respond in writing, resolve issues, and provide copies of all correspondence to CDBG.
6. Once the 15-day local comment period expires, submit a copy of the publication(s) and affidavit(s) of publication along with the 'Request For Release of Funds and Certification' form (RROF&C) to CDBG. It is acceptable to fax clear copies to expedite the comment period; however, originals must also be mailed to CDBG.
7. Upon receipt of the above information, CDBG will begin a 15-day State comment period and the entire review process will be assessed. On the 16th day, pending any conditions by other environmental agencies, CDBG will release funds by means of a **'Pre-Grant Award Environmental Approval Letter'** for proposed projects not yet funded, and by means of the **'Authority to Use Grant Funds/Completion of Environmental Review Requirements'** for CDBG funded projects.

Note: If at anytime the project scope is changed, if new circumstances and/or environmental conditions arise, or if alternatives not considered originally, are selected, the impact of the new project/activities must be reassessed, new findings made that could require new public notices, and a new Request For Release of Funds and Certification submitted to CDBG.

DED OBJECTIONS TO RELEASE OF FUNDS

DED will not approve the Request for Release of Funds before 15 calendar days have elapsed from the time of receipt of the Request for Release of Funds and Certification. All objections must be received by DED within the 15-day period. DED will consider objections claiming a grantee's noncompliance with environmental requirements based on any of the grounds listed below. These are the only bases upon which DED will not approve the Request for Release of Funds and Certification.

- The certification was not in fact executed by the grantee's certifying officer.
- The grantee has failed to make a finding that the project had either a significant impact or no significant impact.
- The grantee has omitted one or more of the steps for the preparation and completion of an environmental assessment including publishing applicable notices and observing required comment periods.
- Another federal agency has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality.
- The grantee has omitted one or more of the steps for the preparation and completion of an Environmental Impact Statement.
- The grantee or other participants in the development process have committed funds, incurred costs, or undertaken activities not authorized by 24 CFR Part 58.75 before the release of funds and approval of the environmental certification by DED/CDBG.
- No opportunity was given to the Advisory Council on Historic Preservation or its Executive Director to review the effect of the project on a property listed on the National Register of Historic Places or found to be eligible for such listing by the Secretary of the Interior.
- With respect to a project where the environmental circumstances cause a reevaluation of assessment findings, the use of prior environmental impact statements, or the use of supplemental impact statement, the grantee has failed to include in the Environmental Review Record (ERR) the written decision required, or its decision is not supported by facts specified by the objecting party.

If no objections are received, DED/CDBG will issue a Pre-Grant Award Environmental Approval letter or a notice of Authority to Use Grant Funds/Completion of Environmental Review Requirements, depending upon when the environmental review process is completed.

TIERING (24 CFR PART 58.15)

Tiering is a means to environmentally assess a project and its activities in the early stages of development or when site-specific analysis is not currently feasible and when a more focused assessment is better done when more information is known. Public notices must be disseminated and published and comment periods observed. The Request For Release of Funds and Certification must be submitted to CDBG to clear the project as a whole. Decisions may be made on broad issues, but written documentation of compliance is required before funds are committed for specific sites and/or activities.

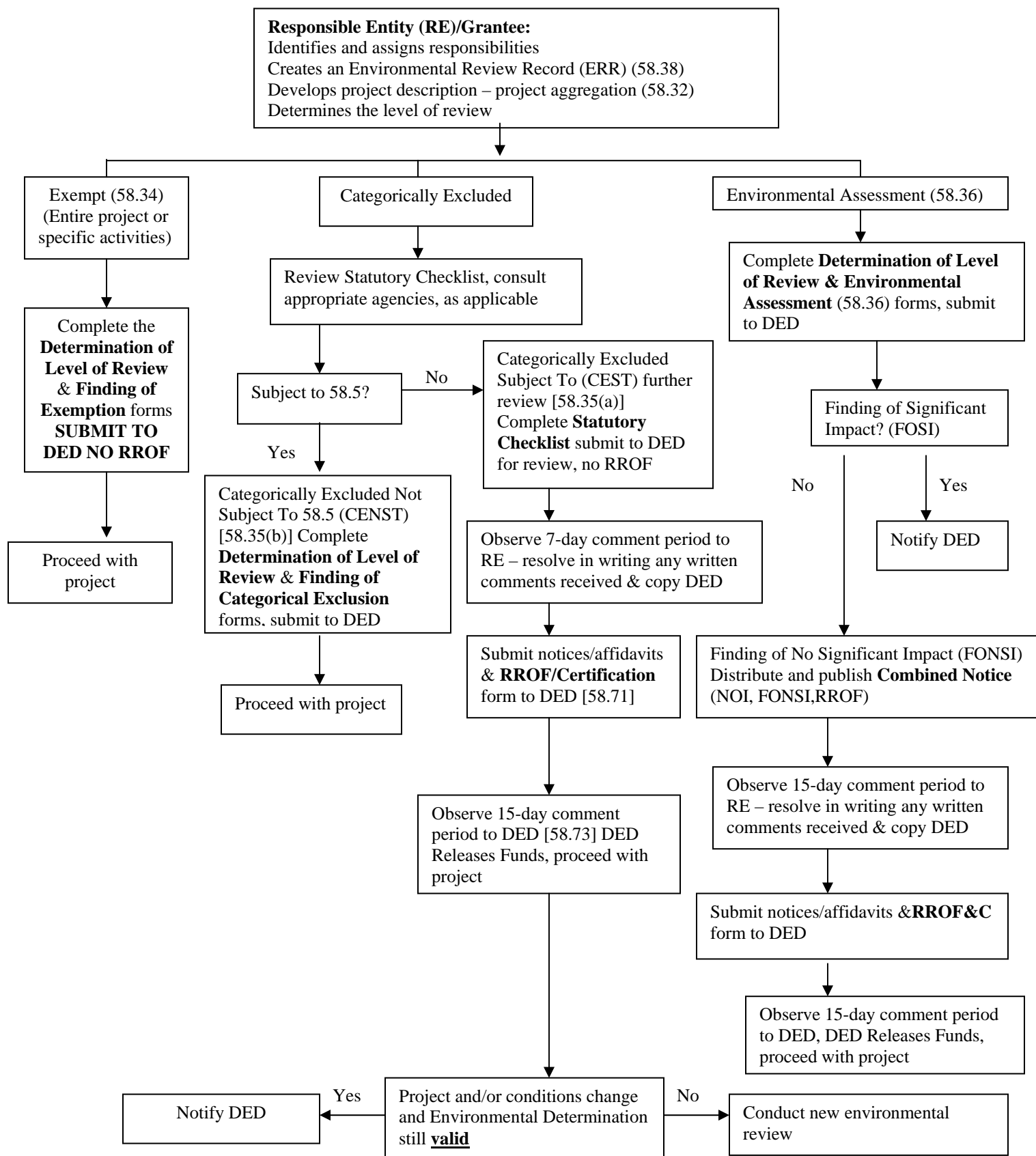
OTHER FEDERAL/STATE AGENCY ENVIRONMENTAL ASSESSMENTS

When USDA Rural Development, the MO Department of Natural Resources (DNR), the MO Housing Development Commission (MHDC), HUD, or the U.S. Department of Commerce, Economic Development Administration (EDA) are partnering with CDBG in a project, RE/grantees may adopt another agency's environmental assessment in place of the CDBG Environmental Assessment, provided that it is **current and that all project activities, regardless of the funding source, are addressed, as well as all CDBG environmental impact areas and compliance requirements.** RE/grantees may attach additional documentation to another agency's assessment if necessary to meet CDBG requirements. A copy of the entire document and all supporting documentation must be submitted to CDBG, as usual, for review. After CDBG reviews the assessment, publish the required public notices. **However, you must publish only CDBG Environmental Notices (Combined Notice, Notice of Intent, Floodplain Notices, etc.) and comply with applicable CDBG comment periods.**

CDBG ENVIRONMENTAL RESOURCE MANUAL

The CDBG Environmental Resource Manual was developed to assist RE/grantee's in understanding environmental impact areas required for review in CDBG-assisted projects, the laws, regulations, statutes, and authorities governing each environmental impact area, the various agencies responsible for regulating compliance, and contact information for regulating agencies. Information in the manual includes website addresses and helpful web based materials, HUD and other agency requirements, HUD regulations and guidebook information, and instructions to access acceptable support documentation for CDBG reviews. As new and additional information becomes available to RE/grantees during environmental reviews, insert the information in the manual as reference for future use.

MISSOURI ENVIRONMENTAL REVIEW PROCESS GENERAL FLOW OF REVIEW PROCEDURES 24 CFR PART 58





COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM DETERMINATION OF LEVEL OF ENVIRONMENTAL REVIEW

PROJECT NAME	
CDBG PROJECT # (IF FUNDED)	PROJECT LOCATION
PROJECT DESCRIPTION	
<p>The subject project has been reviewed pursuant to HUD regulations 24 CFR Part 58 and the following Determination of Level of Review is made.</p> <p>Check the box for the appropriate level and insert full citation in the blank space provided.</p> <p><input type="checkbox"/> Exempt from NEPA review requirements per 24 CFR 58.34(a)(____)</p> <p><input type="checkbox"/> Categorically Excluded NOT Subject To (CENST) §58.5 authorities per 24 CFR 58.35(b)(____)</p> <p><input type="checkbox"/> Categorically Excluded SUBJECT To (CEST) §58.5 authorities per 24 CFR 58.35(a)(____) (The Statutory Checklist is required.)</p> <p><input type="checkbox"/> Environmental Assessment (EA) is required in accordance with subpart E of 24 CFR Part 58.36</p> <p><input type="checkbox"/> Environmental Impact Statement (EIS) is required.</p> <p>The Environmental Review Record (ERR), as described at §58.38, must contain all environmental documents, public notices and written determinations or findings required by Part 58 as evidence of the review, decision making, and actions pertaining to a particular project. Additional information, e.g., checklists, studies, analyses, and other documentation, are included as appropriate in the ERR.</p>	
PREPARED BY	
PRINT NAME	SIGNATURE
TITLE	DATE
RESPONSIBLE ENTITY	
PRINT NAME	SIGNATURE
TITLE	DATE



COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

FINDING OF EXEMPTION

For Specific Exempt Project Activities or Exempt Only Project

RESPONSIBLE ENTITY (RE)	
RE ADDRESS	
PROJECT NAME	
CDBG PROJECT # (IF FUNDED)	TOTAL AMOUNT OF FUNDS FOR EXEMPT ACTIVITIES
The following activities have been determined Exempt per 24 CFR 58.34.	
DESCRIPTION OF PROJECT ACTIVITIES	
An Environmental Review Record (ERR) has been established supporting the above finding and is available for HUD/CDBG staff and general public review at the Responsible Entity's address.	
PREPARER SIGNATURE	DATE
PREPARER NAME & TITLE	
PREPARER'S AGENCY (IF DIFFERENT FROM RE)	
As RE Certifying Officer, I understand and consent to the above finding of exemption for the specific above-listed project activities. I understand these activities are exempt from NEPA review requirements per 24 CFR 58.34, and therefore do not require a CDBG release of funds. I understand the RE may proceed with the above activities once the State CDBG program has issued a formal funding award and a CDBG Funding Approval/Grant Agreement has been fully executed.	
RE CERTIFYING OFFICER SIGNATURE	DATE
RE CERTIFYING OFFICER NAME & TITLE	



**FINDING OF CATEGORICAL EXCLUSION,
NOT SUBJECT TO RELATED STATUTORY AUTHORITIES (24 CFR 58.35(b))**

Certain CDBG funded activities, which do not have a physical impact, require a grantee, as defined at 24 CFR Part 58.2, to determine whether the proposed activity is Categorically Excluded from the National Environmental Policy Act of 1969 (NEPA), as amended, and not subject to the environmentally-related statutory authorities listed at 24 CFR Parts 58.5.

This form provides a grantee with a format to make this determination. A description of the activity (or project) should be attached to this form, and the documentation maintained in the Environmental Review Record (24 CFR Part 58.38). HUD's environmental regulation (24 CFR Part 58) should also be consulted as necessary. Check a **single box** that best describes or fits the proposed activity. Submit the completed form to the CDBG Environmental Review Officer for review.

- ☐ Tenant-based rental assistance (**58.35(b)(1)**).
- ☐ Supportive services (**58.35(b)(2)**), including, but not limited to, health care, housing services, permanent housing placement, day care, nutritional services, and short-term payments for rent/mortgage/utility costs.
- ☐ Operating costs (**58.35(b)(3)**), including maintenance, security, operation, utilities, furnishings, equipment, supplies, staff training and recruitment, and other incidental costs.
- ☐ Economic development activities (**58.35(b)(4)**), including, but not limited to, equipment purchase, inventory financing, interest subsidy, operating expenses, and similar costs not associated with construction or expansion of existing operations.
- ☐ Activities to assist homeownership of existing or new dwelling units not assisted with Federal funds (**58.35(b)(5)**), including closing costs and down payment assistance to home buyers, interest buy-downs, and similar activities that result in the transfer of title to a property.
- ☐ Affordable housing predevelopment costs (**58.35(b)(6)**), including legal, consulting, developer and other costs related to obtaining site options, project financing, administrative costs and fees for loan commitments, zoning approvals, and other related activities which do not have a physical impact.

Additionally, does the proposed activity entail the purchase or sale of a property? ☐ YES ☐ NO

If yes, and the property is located in an Airport Runway Clear Zone, the Responsible Entity shall provide notification to the prospective buyer in accordance with the procedures of 24 CFR Part 58.6(c). Documentation as to compliance with the following questions must be attached by the Responsible Entity.

Is the property located within an Airport Runway Clear Zone in accordance with the provisions of 24 CFR Part 58.6(c)? ☐ YES ☐ NO

If yes, has the grantee provided notification to the property Clear Zone as defined in 24 CFR Part 51? ☐ YES ☐ NO ☐ NA

Provide a description of all project activities including those activities funded by sources other than CDBG: (Attach additional pages as necessary.)

In accordance with the provisions of 24 CFR 58.35(b), the grantee cited below has determined that the subject CDBG-assisted activity (or program) explained above is Categorically Excluded from the National Environmental Policy Act of 1969 (NEPA), as amended, and Not Subject to the Related Part 58.5 Statutory Authorities.

GRANTEE (CITY/COUNTY)

DATE

DETERMINATION BY (PREPARER)

PRINT NAME

SIGNATURE

RE CERTIFYING OFFICER

SIGNATURE



Community Development Block Grant Program

301 W. High Street, Room 770

PO Box 118

Jefferson City, MO 65102

STATUTORY CHECKLIST

FINDING OF CATEGORICAL EXCLUSION [58.35(a)]

For State of Missouri CDBG-funded Projects

PROJECT NAME	CDBG PROJECT # (IF FUNDED)
RESPONSIBLE ENTITY [24 CFR 58.2(A)(7)(II)]	
CERTIFYING OFFICER NAME & TITLE [24 CFR 58.2(A)(2)]	

<u>CDBG STATUTORY CHECKLIST</u>	
ESTIMATED TOTAL PROJECT COST, ALL SOURCES	AMOUNT OF CDBG ASSISTANCE PROPOSED
NAME OF GRANT <u>SUB-RECIPIENT</u> , IF APPLICABLE	
CONTACT PERSON, ADDRESS, PHONE	
RESPONSIBLE ENTITY <u>PROJECT CONTACT</u> NAME, ADDRESS, PHONE	
<p><u>CONDITIONS FOR APPROVAL</u>, <i>as appropriate</i>: (List all mitigation and project modification measures adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and all relevant agreement documents.) (Attach additional pages as necessary.)</p> <p>[24 CFR 58.40(d), 40 CFR 1505.2(c)]</p>	

CDBG STATUTORY CHECKLIST

In my capacity as Preparer of the Statutory Checklist, as designated by the Responsible Entity, I hereby attest that the Statutory Checklist document is true and complete to the best of my knowledge and supports the determination of Categorical Exclusion [58.35(a)].

PREPARER SIGNATURE

DATE

PREPARER NAME & TITLE

PREPARER'S AGENCY (IF DIFFERENT FROM RE)

In accordance with the provisions of 24 CFR 58.35(a), the Certifying Officer on behalf of the Responsible Entity cited below, has determined that the subject CDBG-assisted activity (or program) is Categorically Excluded from the National Environmental Policy Act of 1969 (NEPA), as amended, and Subject to the Related Part 58.5 Statutory Authorities.

In my capacity as Certifying Officer on behalf of the Responsible Entity and in conformance with 24 CFR Part 58, I have reviewed the attached CDBG Statutory Checklist prepared by the above-designated individual. I have independently evaluated the information contained within the Statutory Checklist, supplemented the information, where appropriate, and, on behalf of the Responsible Entity, remain responsible for the accuracy of the information contained therein. I hereby approve of the determination of Categorical Exclusion [58.35(a)] and Conditions For Approval as indicated:

RE APPROVING OFFICIAL SIGNATURE

DATE

RE APPROVING OFFICIAL NAME & TITLE

CDBG STATUTORY CHECKLIST

Purpose of the Project: [“Statement of Purpose and Need of the Proposal” – 40 CFR 1508.9(b)] (Attach additional pages as necessary.)

Existing Conditions and Trends: Describe existing conditions of the project area and its surroundings, and the trends likely to continue in absence of the project. [24 CFR 58.40(a)] (Attach additional pages as necessary.)

CDBG STATUTORY CHECKLIST

HISTORIC PROPERTIES

(Historic Preservation Act 16 U.S.C. 470 & 36 CFR Part 800)

1. Is any property in the project listed or is eligible for listing on the National Register of Historic Places?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
2. Is any property in the project located within or directly adjacent to a historic property?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
3. Are all activities, regardless of funding source, included for the review? If no, forward additional information on all remaining activities to the SHPO for review, or if a tiered review, as activities and/or properties become known.	<input type="checkbox"/> YES	<input type="checkbox"/> NO
4. Could the project or undertaking have religious or cultural significance to an Indian tribe?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. Has a reasonable good-faith effort been made to identify any Federally-recognized Indian tribes that may have an interest in the project or undertaking?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. Is a cultural resource survey required as part of the Section 106 Review? If yes, indicate the type required and date accepted. <input type="checkbox"/> Architectural Survey Completed – Date of SHPO acceptance letter: _____ <input type="checkbox"/> Archaeological Survey Completed – Date of SHPO acceptance Letter: _____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
7. Result of Section 106 Review: <input type="checkbox"/> No Historic Properties Affected - Date of SHPO Letter(s): _____ <input type="checkbox"/> No Adverse Affect – Date of SHPO Letter(s): _____ <input type="checkbox"/> No Adverse Effect With Conditions – List conditions: _____ <input type="checkbox"/> Date of SHPO acceptance letter: _____ <input type="checkbox"/> Adverse Affect - Project is either rejected or will require a Memorandum of Agreement (MOA) with the SHPO		

CDBG STATUTORY CHECKLIST

8. MOA - Do terms of the MOA require that:

- ☐ All stipulations must be complete and approved by the SHPO prior to beginning any physical project activities

(Remember to amend this page and attach documentation once SHPO acceptance is received.)

- ☐ Physical project activities may begin, but all stipulations must be approved by the SHPO prior to project close out

- ☐ MOA Stipulations Accepted by the SHPO – Date of SHPO letter: _____

9. Has compliance with SHPO been met?

☐ YES ☐ NO

If no, explain why:

10. Check all source documentation applicable to this project and attach:

- ☐ SHPO Section 106 Project Information Form & Attachments
- ☐ Consultation correspondence (letters, e-mails, faxes, recorded phone calls
- ☐ Cultural Resource Survey documentation
- ☐ MOA documentation completed and accepted by the SHPO
- ☐ SHPO Review letter(s) completed and accepted by the SHPO
- ☐ Other: _____

CDBG STATUTORY CHECKLIST

FLOODPLAIN MANAGEMENT

(E.O. 11988, 24 CFR Part 55)

1. Floodplain Management applies to projects involving ANY of the following - check all that apply to your project:

- ☐ Acquisition of land or buildings
- ☐ New Construction
- ☐ Substantial Rehabilitation, (i.e., modifications and improvements to buildings, where rehabilitation costs exceed 50% of the pre-rehabilitation value of the building or where residential density increases by more than 20%)
- ☐ Expanding the footprint of buildings or structures
- ☐ Infrastructure Improvements – Water, Sewer, Drainage, Roads, and Ditches
- ☐ Other activities affecting land use _____

2. Is the project located within a *100-year floodplain* or *designated floodway*? ☐ YES ☐ NO

If Yes, skip to #4. If No, go on to #3.

3. You have determined that your project is not located in a floodplain. Document your determination by completing the following:

Source Documentation: Attach the FEMA Firmette Map or Flood Insurance Rate Map and mark the site of the project location on the map.

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

If the area has not been mapped, obtain the best information possible from one or more of the following qualified sources: (Check all sources used and attach all documentation received)

- ☐ Community Flood Administrator
- ☐ US Army Corps of Engineers
- ☐ US Geological Survey Maps
- ☐ USDA Natural Resources Conservation Service
- ☐ Regional Planning Commission/Regional Council of Government
- ☐ Local flood control or levee district
- ☐ Other _____

4. You have determined that your project is located in a floodplain/wetland. The HUD 8-Step Decision Making Process is required. Complete and attach the following 8-Step Decision Making form and all supporting documentation.

CDBG STATUTORY CHECKLIST

HUD 8-STEP DECISION MAKING PROCESS

(Decision Making Process Under E.O. 11988 and 24 CFR 55.20)

(Attach additional pages as necessary for any step in the process.)

STEP 1 – Determine if the proposed action/project is located in a 100-year floodplain/wetland.

Attach the FEMA Firmette Map or Flood Insurance Rate Map and complete the following:

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

(Continue to Step 2)

☐ Check here if the area has not been mapped by FEMA, and continue below.

If the area has not been mapped by FEMA, obtain and attach the best information available from one or more of the following accepted sources (check all sources used):

☐ Community Flood Administrator

☐ US Army Corps of Engineers

☐ US Geological Survey Maps

☐ USDA Natural Resources Conservation Service

☐ Regional Planning Commission/Regional Council of Government

☐ Local flood control or levee district

☐ Other _____

STEP 2 – Involve the public in the decision-making process.

Publish the Early Public Notice

The Early Public Notice is a notice of the proposal to consider an action in the floodplain/wetland. The notice must be published in a non-legal section of the newspaper of widest circulation. *A 15-day comment period commences the day after publication.* If the RE receives any written comments, the RE must respond in writing and resolve any issues and provide copies CDBG. Attach a copy of the notice and the affidavit of publication to this form. (Early Public Notice, page IV-96)

Name of Newspaper: _____

Date of publication: _____

Explain in detail each of the following to determine if the floodplain and/or wetland can be avoided:
(Attach additional pages if necessary)

- IV-28

CDBG STATUTORY CHECKLIST

STEP 4 – Identify indirect and direct impacts associated with occupying or modifying the floodplain/wetland.

If the RE determines the only practicable alternative for the project/action is occupying or modifying the floodplain/wetland, the impacts must be identified. If the RE determines that an alternative site for the project exists out of the floodplain/wetland, project activities may still have an impact on the nearby floodplain/wetland, and must also be identified to minimize harm.

Explain in detail how the project/activity will affect the floodplain/wetland with respect to each of the following types of impacts:

Positive or beneficial impacts, both direct and indirect:

Negative or harmful impacts, both direct and indirect:

Concentrated impacts – at or near the floodplain/wetland:

Dispersed or remote impacts occurring distant from the floodplain/wetland:

Short-term impacts to the floodplain/wetland (impacts that are temporary occurring immediately after an action lasting only a short while):

Long-term impacts to the floodplain/wetland (impacts that occur during or after an action that persist for considerable time or indefinitely):

CDBG STATUTORY CHECKLIST

STEP 5 – Identify mitigation measures to reduce impacts and preserve benefits of the floodplain/wetland.

- a. How will actions be designed and modified to minimize harm to or within the floodplain/wetland?
- b. How will actions be designed and modified to restore and/or preserve as much of the natural and beneficial floodplain values as possible?

CDBG STATUTORY CHECKLIST

STEP 6 – Re-evaluate alternatives identified in Step 3, taking into account all identified impacts and mitigation measures.

a. Is it possible to modify or relocate the project/activity? Explain.

b. If there are no alternatives, should the project/activity occur? Explain.

CDBG STATUTORY CHECKLIST

STEP 7 – If the re-evaluation results in no practicable alternative to relocate the project out of the floodplain/wetland, the decision must be made public.

Publish the Notice of Explanation

The Notice of Explanation must include reasons for locating the project/activity in the floodplain/wetland, all alternatives considered, and all mitigations measures planned.

The notice must be published in a non-legal section of the newspaper of widest circulation. *A 7-day comment period commences the day after publication.* If the RE receives any written comments, the RE must respond in writing and resolve any issues and provide copies CDBG. Attach a copy of the notice and the affidavit of publication to this form.

Name of Newspaper: _____

Date of publication: _____

STEP 8 – Implement the Project.

Project implementation can only proceed provided compliance has been demonstrated with respect to all of the prior steps and provided the project has been approved by the State in accordance with HUD regulation 24 CFR Part 58.

The Responsible Entity has a continuing responsibility to ensure that the mitigating measures identified in Step 7 are implemented. Mitigation measures must be incorporated, as appropriate, in project contracts and all related agreement documents.

CDBG STATUTORY CHECKLIST

FLOOD INSURANCE

(The Flood Disaster Protection Act of 1973, 24 CFR 58.6)

The threshold for flood insurance requirements is included in *The Flood Disaster Protection Act of 1973*, as amended, requiring property owners purchase flood insurance for buildings located within *Special Flood Hazard Areas (SFHA)*, when Federal financial assistance is used to acquire, repair, improve, or construct a building. Owners of HUD-assisted properties located within Special Flood Hazard Areas (SFHA) must purchase and maintain flood insurance protection as a condition of approval of any HUD financial assistance for proposed property acquisition, rehabilitation, conversion, repair or construction. *Compliance with mandatory flood insurance purchase does not constitute compliance with floodplain management requirements discussed under Floodplain Management of this document.*

Information on the location of SFHA's is available on Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency (FEMA).

1. Does any portion of the project lie within a SFHA as determined by a FEMA Flood Insurance Rate Map? ☐ YES ☐ NO

2. Does the Responsible Entity participate in the National Flood Insurance Program? ☐ YES ☐ NO

3. Is the Responsible Entity in good standing with the National Flood Insurance Program? ☐ YES ☐ NO

4. If the Responsible Entity is not in good standing with the NFIP or does not participate in the NFIP, and any portion of the project lies within a SFHA, flood insurance must be acquired and/or project modifications and/or alternatives required prior to the completion of any work, regardless of funding source, in order to comply with HUD and FEMA regulations, and CDBG program requirements. Contact CDBG for consultation.

5. Is the Responsible Entity in compliance with National Floodplain Insurance Requirements? ☐ YES ☐ NO

<http://www.hud.gov/offices/cpd/environment/review/floodinsurance.cfm> -HUD Flood Insurance

<http://www.hud.gov/offices/cpd/environment/review/qa/floodinsurance.cfm> -Flood Insurance Q&A

http://www.fema.gov/plan/prevent/floodplain/How_the_NFIP_works.shtm - FEMA NFIP

<http://www.fema.gov/cis/MO.pdf> - MO communities participating in the National Flood Program

<http://sema.dps.mo.gov/NFIPContactList.pdf> - MO List of Floodplain Managers

http://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=firnetteHelp_0&title=FIRMette%20Tutorial – FEMA Map Service Center

FEMA Region VII (NFIP Regional Office)

Suite 3401 South Main Street

Ottawa, KS 66067-2300

(785) 242-1097 or -4799

fax: (785) 242-4338

CDBG STATUTORY CHECKLIST

WETLANDS PROTECTION

(E.O. 11990, 24 CFR Part 55)

Executive Order 11990 requires all Federal agencies to avoid impacts to wetlands, including direct or indirect impacts, and to refrain from supporting construction in wetlands whenever there is a practicable alternative.

1. Compliance with Wetlands Protection applies to *Land Acquisition or Construction* associated with ANY of the following - check all that apply to your project:

- ☐ Buildings and structures
- ☐ Roads
- ☐ Sewer and water systems
- ☐ Storm drains and ditches
- ☐ Flood control systems
- ☐ Dredging, filling, excavation (includes rehabilitation to existing buildings and structures)
- ☐ Expansion or altering the footprint of buildings or structures

2. Review and attached Wetland maps if any of the above activities are involved in the project. Access acceptable maps from any of the following:

<http://wetlandsfws.er.usgs.gov/> - FWS Wetlands Mapper (National Wetlands Inventory)

<http://topozone.com/> - TopoZone webpage

<http://ims.missouri.edu/moims/step1.aoi/countylist.asp> - UMC GIS and Internet Mapping

3. The maps listed above are for preliminary screening purposes only. If any question still exists as to the potential wetland presence or the project area has not been mapped for wetlands, contact the USFWS, Army Corps of Engineers or NRCS to obtain a wetlands determination. A wetland determination is made in accordance with the Corps' 1987 Wetland Delineation Manual and can be performed by the following agencies or by a private consultant.

Submit cover letter with detailed project description, location of project including township, range and section, a clear and detailed map, and preferably color photographs of the area to:

U.S. Fish & Wildlife Service
Columbia Ecological Services Field
Charlie Scott, Field Supervisor or Rick Hanson
101 Park DeVile Drive, Suite A
Columbia, MO 65203-0057
Phone: 573-234-2132

Additional assistance for wetland determinations may be obtained by contacting USDA Natural Resources Conservation Service (NRCS) and/or the US Army Corps of Engineers. Contact information for each of the agencies' regions is available in the CDBG Environmental Resource Manual.

CDBG STATUTORY CHECKLIST

4. Is the project in a designated wetland as indicated by qualified sources? ☐ YES ☐ NO
** If it is determined that that project lies in a wetland/floodplain, you MUST comply with the HUD 8-Step Decision Making Process – Refer to the Floodplain Management section of this document for the required format.

Is the HUD 8-Step Decision Making Process applicable? ☐ YES ☐ NO

If yes, attach all related documentation.

5. Permitting Requirements: The project may require a Section 404 Permit from the U.S. Army Corps of Engineers prior to any construction activities. If applicable, obtain the permit and attach.

Does the project require a Section 404 Permit? ☐ YES ☐ NO

If yes, attach all related documentation.

Check all source documentation applicable and attach:

- ☐ FWS Map(s)
- ☐ Maps from other qualified agencies
- ☐ Consultation correspondence (letters, e-mails, faxes, documented phone calls)
- ☐ HUD 8-Step Decision Making documentation
- ☐ FWS Clearance
- ☐ Other qualified agency clearance(s): _____
- ☐ 404 Permitting Information
- ☐ Other sources of documentation: _____

<u>CDBG STATUTORY CHECKLIST</u>
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<u>COASTAL ZONE MANAGEMENT</u>

There are no Coastal Zones in Missouri.

Compliance Documentation:

Print documentation from website or obtain from Environmental Resource Manual and <u>attach</u> .

http://ocrm.nos.noaa.gov/czm/czmsitelist.html

CDBG STATUTORY CHECKLIST

AIRPORT HAZARDS (Clear Zones and Accident Potential Zones)

24 CFR Part 51 Subpart D

HUD funds may not be used for assistance, subsidy, or insurance for construction, land development, community development, or redevelopment designed to make land available for construction, or rehabilitation that significantly prolongs the life of existing facilities in designated Runway Clear Zones (RCZ) at civil airports or Clear Zones (CZ) at military airfields, except where written assurances are made that the project proposed for development will not be frequently used by people, and where written assurances are provided by the airport operator indicating no plans exist to purchase the property as part of a RCZ or CZ acquisition program.

If CDBG funds are proposed for development in proximity to these areas, documentation must be provided that the program will comply with requirements referenced above.

1. Do project activities, regardless of funding source, involve new construction, major rehabilitation, change of land use, increase in residential density, or acquisition of real property? ☐ YES ☐ NO
2. Is the project site located within 2,500 feet of the end of a civil airport runway or within 2 ½ miles from the end of a military airfield? ☐ YES ☐ NO
3. If the answer to either question is NO, compliance has been attained provided support documentation is attached.
4. If the answer to both questions is YES, documentation must be attached indicating compliance with 24 CFR Part 51 Sub-part D. Contact the applicable airport operator for dimensions of the affected zones and provide documentation that the project is located outside the affected zones.

List attached compliance documentation:

Acceptable Compliance Documentation:

Map showing project location in relation to airport/airfield:

1. <http://www.topozone.com> – TopoZone Maps
2. <http://ims.missouri.edu/moims/step1.aoi/countylist.asp> - CARES Interactive Maps – select “Transportation” map layer.

Related Compliance Documentation:

1. HUD Memo and list of Primary/Commercial Services Airports provided in the Environmental Resource Manual.
2. <http://www.airnav.com/airports/> - AirNav.com lists airport information by state.
3. <http://www.aircraft-charter-world.com/airports/northamerica/missouri.htm> - civil and military airports listed by state.

24 CFR Part 51 Sub-part D is contained in the Environmental Review Resource Manual

CDBG STATUTORY CHECKLIST

ENDANGERED SPECIES

(Endangered Species Act (ESA), Section 7 - 50 CFR Part 402)

The ESA mandates that Federally-assisted activities not jeopardize the existence of plants and animals that are listed or proposed for listing on the endangered species list. Activities proposed for areas harboring such species must avoid adversely modifying or destroying their habitat.

<http://www.fws.gov/endangered/esaall.pdf> - Endangered Species Act of 1973

If the project involves acquisition, new construction, site clearance, or public infrastructure improvements contact the following agencies for review and clearance, and attach all related documentation.

U.S. Fish & Wildlife Service

Columbia Ecological Services Field
Charlie Scott, Field Supervisor or Rick Hanson
101 Park DeVille Drive, Suite A
Columbia, MO 65203-0057
Phone: 573-234-2132

FWS Website: <http://www.fws.gov/endangered/listing/index.html>

MO Department of Conservation (MODOC)

Shannon Cave
2901 W. Truman Blvd.
PO Box 180
Jefferson City, MO 65102
573/522-4115, ext. 3250

MODOC Website: <http://mdcgis.mdc.mo.gov/heritage/> - Provides information to federal, state and local agencies, corporations and consultants about threatened and endangered species, and their habitats. The information should be obtained early in the planning process to design, locate and evaluate proposed projects so that environmental impacts may be avoided or reduced in order to help conserve Missouri's natural resources.

Contact the U.S. Army Corps of Engineers (USACE) regarding permitting when proposed projects involve activities in natural wetlands, streams, rivers, or reservoirs. Regional contact information is located in the Environmental Review Resource Manual or at the following websites:

<http://www.nwk.usace.army.mil/regulatory/boundary.htm> - Kansas City District Office

<http://www.nwk.usace.army.mil/regulatory/permitap.htm#general> – Permitting Information

<http://www.mvs.usace.army.mil/dinfo/mapdist.htm> - St. Louis District maps

The St. Louis District's boundaries are based on watersheds. If you are not sure if your project falls within our district after checking [our map](#) please e-mail our [Cartographer](#) with a legal description (Section, Township, and Range) or the Latitude and Longitude.

<http://www.mvs.usace.army.mil/permits/missouri.htm> - St. Louis contacts for permitting requirements

CDBG STATUTORY CHECKLIST

Compliance:

Are mitigation measures required by any agency?

☐ YES ☐ NO

If yes, explain the requirements, if they are feasible in relation to project goals and completion, description of the mitigation plan to address issues, if mitigation measures are required for completion prior to commencing any physical activity, etc: (Attach additional pages as necessary.)

Check all source documentation applicable and attach:

- ☐ FWS clearance
- ☐ MODOC clearance
- ☐ Consultation correspondence (letters, e-mails, faxes, documented phone calls)
- ☐ Permitting Information
- ☐ Other sources of documentation: _____

☐ **Compliance has been met.**

CDBG STATUTORY CHECKLIST

WILD AND SCENIC RIVERS

(Wild and Scenic Rivers Act of 1968, 36 CFR Part 297)

The National Wild and Scenic River System was established to conserve the scenic, recreational, and fish and wildlife values of certain rivers. The Wild and Scenic Rivers Act applies to rivers or segments of rivers designated by Congress or States. Information may be found in the CDBG Environmental Resource Manual and at websites indicated below.

<http://www.nps.gov/rivers/wsract.html> - Wild & Scenic Rivers Act

<http://www.washingtonwatchdog.org/documents/cfr/title36/part297.html> - 36 CFR Part 297

Compliance:

Assess whether or not any proposed actions will occur within one mile of a Wild or Scenic River.

1. **Federally Recognized Wild and Scenic Rivers:** Missouri has one Federally recognized wild and scenic river, the *Eleven Point River*. Print the following website information and attach:
<http://www.nps.gov/rivers/wsr-eleven-point.html> - The Eleven Point River

Is the project site within one mile of the Eleven Point River? ☐ YES ☐ NO

- a. If no, attach the website information and check the box at the bottom of the page indicating that compliance has been met.
- b. If project activities occur within one mile of the river and may have the *potential* to adversely impact the river, contact the following and attach all related documentation:

U.S. Fish & Wildlife Service

Columbia Ecological Services Field

Charlie Scott, Field Supervisor or Rick Hanson

101 Park DeVille Drive, Suite A

Columbia, MO 65203-0057

Phone: 573-234-2132

Are mitigation measures required by FWS? ☐ YES ☐ NO

If yes, explain the requirements, if they are feasible in relation to project goals and completion, description of the mitigation plan to address issues, if mitigation measures are required for completion prior to commencing any physical activity, etc:

☐ **Compliance has been met for Federally recognized wild and scenic rivers.**

CDBG STATUTORY CHECKLIST

2. State Wild and Scenic Rivers:

The Nationwide Rivers Inventory (NRI) is a list of free-flowing river segments in the United States believed to possess one or more "outstandingly remarkable" natural or cultural values judged to be of more than local or regional significance. Under a 1979 [Presidential directive](#), and related [Council on Environmental Quality procedures](#), all federal agencies must seek to avoid or mitigate actions that would adversely affect one or more NRI segments. The NRI is a source of information for statewide river assessments and federal agencies involved with stream-related projects.

<http://www.nps.gov/ncrc/programs/rca/nri/states/mo.html> - National River Inventory, MO segments

Is the project site within one mile of a State designated wild or scenic river? ☐ YES ☐ NO

- a. If no, attach the website information and check the box at the bottom of the page indicating that compliance has been met.
- b. If project activities occur within one mile of the river and may have the *potential* to adversely impact the river, contact the following and attach all related documentation:

National Park Service
Environmental Compliance
Midwest Regional Office
601 Riverside Drive
Omaha, Nebraska 68102
402-661-1848

Are mitigation measures required by the National Park Service? ☐ YES ☐ NO

If yes, explain the requirements, if they are feasible in relation to project goals and completion, description of the mitigation plan to address issues, if mitigation measures are required for completion prior to commencing any physical activity, etc:

☐ **Compliance has been met for State recognized wild and scenic rivers.**

CDBG STATUTORY CHECKLIST

FARMLAND PROTECTION

(Farmland Protection Policy Act, 7 CFR 658)

The purpose of the Farmland Protection Policy Act is to minimize unnecessary and irreversible conversion of farmland to non-agricultural uses.

This is **NOT** applicable to lands already in or committed to urban development or water storage.

This **IS** applicable to land designated as *prime* or *unique* agricultural lands by USDA Natural Resources Conservation Services, including forestland, pastureland and cropland.

Compliance:

Does the project involve new construction, acquisition or disposition of agricultural land, pasture or forested land that would result in development or conversion for non-agricultural use?

☐ No Indicate current zoning classification/land use of proposed project site:

Describe the current land use of the project site and the surrounding or adjacent parcels for the project site. Explain compatibility of project activities with current land use. Attach support documentation for current zoning classification or land use and additional pages as necessary:

☐ Yes Complete the *Farmland Conversion Impact Rating Form AD 1006* located in the Environmental Resource Manual or at the following website:
http://www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006.PDF and submit to the USDA Natural Resources Conservation Services (NRCS) office *in your region*. Contact information for the NRCS office may be accessed at the following website or in the Environmental Resource Manual.
http://www.mo.nrcs.usda.gov/technical/soils/tss/out/nrcs_tss.jpg

Describe the outcome of the NRCS rating, any conditions or mitigation measures required, and the feasibility of these requirements in relation to project goals. Attach all related documentation:

Related Website:

<http://maproom.missouri.edu/> - UMC Cares Map Room

The map site listed above is for *preliminary screening purposes only*.

CDBG STATUTORY CHECKLIST

NOISE CONTROL

(24 CFR Part 51, Sub-part B)

The purpose of this regulation is to encourage suitable separation between noise sensitive land uses and major noise sources. The HUD Noise Regulation establishes standards, requirements, and guidelines regarding noise control and abatement for HUD assisted projects. If other funding sources are assisting the project and also require noise control, comply with the strictest noise standards.

1. Is the proposed project a noise sensitive land use, e.g. residential use, school, day care center, community center, library, hospital, nursing home, auditorium, health clinic, shelter, etc.? ☐ YES ☐ NO

2. Is the proposed project located within proximity of the following major noise sources? ☐ YES ☐ NO

If yes, check all that apply

☐ Within 1,000 feet of a major roadway (high volume traffic, heavy truck traffic, etc.)

☐ Within 3,000 feet of a railroad

☐ Within 15 miles of an airport

☐ Other significant noise sources (e.g. industrial/manufacturing facilities, power generating stations, etc.)

3. If both #1 and #2 applies, a Noise Assessment is *required*. Refer to the 'HUD Noise Guidebook' at the website below. Contact CDBG if assistance is needed. Attach all related documentation.
<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/noise/index.cfm>

4. If a Noise Assessment was required and completed, attach the assessment and indicate the outcome:

Exterior Noise is determined: (DNL = Day Night Average Sound Level)

☐ ACCEPTABLE - Noise is determined 65 DNL or less

☐ NORMALLY UNACCEPTABLE - Noise exceeds 65 DNL up to 75 DNL

☐ UNACCEPTABLE – Noise exceeds 75 DNL

5. If noise levels were determined NORMALLY UNACCEPTABLE:

☐ Noise attenuation activities are feasible to meet acceptable internal and external noise levels. Attach analysis of mitigation measures, including construction specifications.

☐ An alternative project site will be used.

☐ Noise attenuation activities are NOT feasible to meet acceptable internal and external noise levels and there are no alternative sites - the project is rejected.

6. If noise levels were determined UNACCEPTABLE:

☐ An alternative project site will be used.

☐ No alternative project site is available. The project is rejected.

CDBG STATUTORY CHECKLIST

EXPLOSIVE AND FLAMMABLE OPERATIONS

(24 CFR Part 51 Sub-part C)

HUD-assisted projects must be assessed for the presence of facilities that present an explosive or flammable hazard to project sites in an effort to prevent injury to occupants and damage to buildings from industrial accidents.

1. Does the proposed project involve any of the following *residential* activities: conversion of non-residential land to residential land use, rehabilitation where unit density is increased, new housing construction, or vacant buildings made habitable? ☐ YES ☐ NO
2. Does the proposed project entail institutional, recreational, commercial, or industrial use, including open spaces, where people may congregate? ☐ YES ☐ NO
3. If no to #1 or #2, document that no Explosive or Hazardous Operations are relevant to the project by attaching acceptable source documentation as indicated below.
4. If yes to #1 or #2, is there a facility with an aboveground storage tank(s) located within 1-mile, or within sight of the project site? (Look for stationary hazardous facilities that store, handle, or process chemicals or petrochemicals of an explosive or flammable nature such as liquid propane, gasoline, or other volatile substances.) ☐ YES ☐ NO

If yes, the Acceptable Separation Distance (ASD) must be determined. Refer to the 'Siting of HUD-Assisted Projects Near Hazardous Facilities Guidebook' at the website below. Contact CDBG if assistance is needed. Attach all related documentation.

<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/hazfacilities/index.cfm>

Acceptable Sources of Information:

- Local fire marshal, fire department, or fire prevention agencies
- City, county, or project engineer
- Private property owners operating aboveground tanks
- Documented visits of site and surrounding area, accompanied by photographs
- Current aboveground tank inspection reports
- Current aerial photographic map
- Current U.S.G.S. topographic map
- Survey land use maps

CDBG STATUTORY CHECKLIST

WATER QUALITY

Water Supply and Ground Water

(Safe Drinking Water Act of 1974, Clean Water Act,)

The Safe Drinking Water Act (SDWA) protects public health by regulating the nation's public drinking water supply. The law requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. SDWA does not regulate private wells which serve fewer than 25 individuals. SDWA applies to every public water system in the U.S.

<http://www.epa.gov/safewater/sdwa/index.html> - Safe Drinking Water Act of 1974

<http://www.epa.gov/r5water/cwa.htm> - Clean Water Act

1. Is there an existing municipal or public water supply adequate to serve the project? ☐ YES ☐ NO

Is the water supply safe and free of contamination? ☐ YES ☐ NO

Explain and attach inspection reports, letters, and/or documented telephone calls from the Public Water Supply District or comparable source.

2. Will any waterways be affected by the project? ☐ YES ☐ NO

Documentation: Explain and locate and identify on a map, any rivers, lakes, streams, or other water bodies that may receive effluent discharges from the project site that could impact potable water.

Attach any other documentation from qualified sources.

3. Does the project entail any of the following activities: acquisition of undeveloped land, change of land use or new construction? ☐ YES ☐ NO

If yes, will the project draw water from a Sole Source Aquifer? ☐ YES ☐ NO

Print and attach supporting documentation. EPA-designated sole source aquifers are listed at:

<http://www.epa.gov/OGWDW/swp/ssa/reg7.html>

4. Will the project involve drilling a well? ☐ YES ☐ NO

If yes, is the location subject to rapid water withdrawal problems that will change the depth of the water table? ☐ YES ☐ NO

Documentation: Attach county health department inspection reports, letters and/or documented telephone calls.

5. Will the project use a private well for its water supply? ☐ YES ☐ NO

If yes, has the source been tested and free of contamination? ☐ YES ☐ NO

Are there septic systems present on or around the project site and have they been properly installed and maintained? ☐ YES ☐ NO

Contact the DNR Public Drinking Water Program before construction begins on any public water supply well to determine if it is a non-community or community supply, and if an engineer is required to evaluate the supply.

Documentation: Explain and attach recorded site visits, documented conversations with property owners, county health department.

For Further Information:

<http://www.dnr.mo.gov/env/wrc/surfh2o.htm>

<http://www.dnr.mo.gov/env/wrc/groundwater/gwnetwork.htm> - DNR - Ground Water

<http://www.dnr.mo.gov/env/wrc/welltypes.htm> - DNR - Water Wells

<http://cfpub.epa.gov/surf/locate/index.cfm> - EPA - Locate Your Watershed

CDBG STATUTORY CHECKLIST

AIR QUALITY

(Clean Air Act 42 U.S.C. 7400 Section 176 & 171, 40 CFR Parts 6, 51, 93)

Federal, State and Local Compliance

1. Is the project located in an EPA-designated non-attainment or maintenance area for one or more of the six criteria pollutants regulated under the Clean Air Act? ☐ YES ☐ NO

Print and attach support documentation from the following EPA website:

<http://www.epa.gov/oar/oaqps/greenbk/anc1.html#MISSOURI>

If yes, a determination of conformity with the State Implementation Plan (SIP) is required with respect to the proposed project and the specific pollutant for which the area was designated a non-attainment or maintenance area. Contact the EPA Regional Office to determine if the proposed project is one that requires a permit under the SIP. If yes, obtain a letter of consistency from the agency showing that the project is consistent with the SIP and attach all correspondence.

2. Does the project require installation and/or operating permits, or an indirect sources permit, in accordance with the Clean Air Act? ☐ YES ☐ NO

<http://www.dnr.mo.gov/forms/> - DNR Permitting

3. Will the project comply with local pollution control agency rules, including the generation of dust during construction activities? ☐ YES ☐ NO

4. Provide information indicating whether or not the project could establish a trend, which if continued, would lead to violation of air quality standards in the future, and what mitigation measures are needed to minimize the affects. Consider the sources, types, and amounts of air emissions that could be generated by the finished project once operation commences, and mitigation necessary to minimize air emissions to meet compliance.

Indoor Air Quality

Provide information on the sources and types of air emissions that could affect indoor air quality after construction, including asbestos, radon, and mold.

1. Asbestos: Does the project have the potential to disturb any friable asbestos containing building materials (ACBM)? ☐ YES ☐ NO

If yes, compliance with DNR asbestos regulations is required. Attach all supporting documentation.

<http://www.dnr.mo.gov/alpd/apcp/Asbestos.htm> - DNR – Asbestos Requirements

<http://www.epa.gov/ttn/atw/hlthef/asbestos.html> - EPA - Asbestos Information

CDBG STATUTORY CHECKLIST

2. Radon: Does the project entail construction or major rehabilitation of any type of building that will be used for residential purposes or frequent occupancy of people (e.g., commercial store, industrial facility, library, community facility). ☐ YES ☐ NO

If yes, and the project is existing construction, a radon test must be conducted and the test results attached. Do the test results indicate radon levels in excess of 4 picocuries (A picocurie is a unit of measure for levels of radon gas (pCi)? ☐ YES ☐ NO

<http://www.epa.gov/radon> - EPA Radon

<http://www.epa.gov/radon/zonemap/missouri.htm> - EPA - Radon in Missouri

3. Mold: Does the project entail rehabilitation of any building having existing evidence of mold on any building component or interior moisture-related problem, including roof leaks or moisture in and around the interior foundation or crawl space? ☐ YES ☐ NO

If yes, describe how the mold will be eliminated and the construction measures to be taken to eliminate source(s) of mold-inducing moisture inside the structure.

<http://www.epa.gov/mold/moldresources.html> - EPA - Mold

4. Noxious Odors or Fumes: Provide information on potential odors emissions and mitigation required to minimize off-site migration of noxious odors or fumes.

CDBG STATUTORY CHECKLIST

CONTAMINATION AND TOXIC MATERIALS

(HUD Policy on Site Contamination [Sec. 58.5(i)(2)])

HUD-assisted project sites *must* be free of contamination and chemicals where a hazard could affect the health and safety of occupants or conflict with intended use of the property. Particular attention should be given to sites located on or in proximity to landfills, industrial sites, gas stations, and other locations with the *potential* to contain contaminants. If property acquisition is proposed in the project, investigations must be completed and resolved prior to the transfer of property.

Identify Site Contamination: (Acceptable documentation: historical property data, site inspections, ASTM Phase I Site Assessment and, if applicable, Phase II and Phase III Assessments, other recent environmental studies, documentation from DNR and EPA staff)

1. What were the previous uses of the site (historical research of property, information from prior land owners, deed, title, easements, liens, aerial photographs, etc.)?

2. Assess and explain the potential for contamination and types of contaminants on and around the property:

Groundwater (drinking water, water for commercial food crops, etc.):

Air (vapors, gases, radon, airborne dust, asbestos, mold and other particulates, etc.):

Soil (dust, soil, outdoor recreational areas, school grounds, fill dirt, etc.):

3. Has a *current* ASTM Phase I Site Assessment been completed by a qualified professional? (Generally, a Phase I is considered current for 180 days) ☐ YES ☐ NO

Date of Phase I completion: _____

CDBG STATUTORY CHECKLIST

4. If a Phase I Site Assessment was completed, answer the following: (Attach the assessment) <input type="checkbox"/> NA			
a. Does contamination exist or is suspected to exist?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
b. Will contaminants affect the health and safety of the occupants or conflict with the intended use of the site?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
c. Is a Phase II Assessment recommended?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
5. If a current Phase I Assessment has not been completed, determine if it is needed. A Phase I Site Assessment is <i>strongly</i> recommended if the <i>potential</i> for contamination exists: <input type="checkbox"/> NA			
a. Is the project site an EPA Superfund (CERCLA) site or within 1 mile of a Superfund Site? (print and attach web documentation) http://www.epa.gov/superfund/sites/locate/index.htm - EPA Superfund Sites	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
b. Have hazardous substances, pollutants, or contaminants been stored or dumped on the project site? (Document how determination was made.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
c. Is the project site near an industry or in an industrial area that disposes chemicals and/or hazardous waste? (Document how determination was made.)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
d. Is the project site located within 3,000 feet of a toxic or solid waste landfill site? (Document how determination was made)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
e. Does the project site contain, or is it adjacent to, aboveground or underground storage tanks? (Document how determination was made)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
f. If tanks are present, contact DNR and attach documentation. Have any tanks been identified by DNR as leaking?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
6. If a Phase II Assessment was recommended, has it been completed?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> NA
7. Was a Phase II Assessment completed on the project site prior to this proposed project? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA			
If yes, attach the assessment.			
Date Phase II Assessment completed: _____			
8. Does contamination exist at the project site? <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> NA			

CDBG STATUTORY CHECKLIST

9. If contamination exists at the project site, is it feasible to perform clean up of the property – (Phase III Assessment)? (Consider the extent of contamination, if adequate funds are available for cleanup activities, if the timeframe for cleanup is compatible with timeline for project completion, etc.) ☐ YES ☐ NO ☐ NA

10. Is a Phase III Assessment required and completed? ☐ YES ☐ NO
If yes, attach the assessment.

11. Are there conditions for environmental approval? ☐ YES ☐ NO
If yes, explain.

Hazardous Waste information may be found in the CDBG Environmental Resource Manual and at the following websites:

<http://www.epa.gov/epaoswer/hazwaste/id/id.htm> - EPA Identifying Hazardous Waste

<http://www.epa.gov/epaoswer/hazwaste/ldr/resource.htm#hazwaste> – EPA – Hazardous Waste Handlers Databases

<http://www.dnr.mo.gov/env/hwp/index.html> - MD DNR Hazardous Waste Program

<http://www.epa.gov/radon/> - EPA Radon

<http://www.epa.gov/radon/zonemap/missouri.htm> - EPA - Radon in Missouri

<http://www.epa.gov/mold/moldresources.html> - EPA - Mold

<http://www.astm.org/cgi-bin/SoftCart.exe/index.shtml?E+mystore> - Association for Standards and Testing Methods (ASTM)

CDBG STATUTORY CHECKLIST

ENVIRONMENTAL JUSTICE

(E.O. 12898)

The purpose of Executive Order 12898 is to direct Federal agencies to identify and address as appropriate “disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations”. Generally, this applies to low-income and minority neighborhoods where HUD-assisted projects are proposed for acquisition of existing housing, acquisition of land for development, change in land use, demolition, major rehabilitation, and new construction. At a minimum, Environmental Justice should address the consideration of actual and potential environmental impacts to people of low-income and minority status as a result of the proposed project, mitigation measures to minimize adverse impacts as much as practicable within the principles of the Executive Order. It is imperative that consistency is maintained throughout the project.

1. **Indicate the zoning classification of the project site and immediate area.** (Acceptable support documentation includes maps, photographs, and description of the project and surrounding areas)

2. **Explain the opportunities for public involvement in decision making.** (Acceptable support documentation includes council/commission meeting or other public meeting minutes from public hearings indicating discussions and decisions throughout the life of the project, newspaper articles describing the project, project alternatives considered, etc.)

3. Is the proposed project located in or around a low-income or minority neighborhood? ☐ YES ☐ NO

4. Indicate all potential and actual environmental impacts, both positive and negative, regarding low-income and minority persons, as a result of the proposed project.

5. Explain all mitigation measures planned to minimize adverse environmental impacts.

Environmental Justice information may be found in the CDBG Environmental Resource Manual and at the following websites:

<http://www.epa.gov/compliance/environmentaljustice/> - EPA – Environmental Justice

http://epa.gov/compliance/resources/policies/ej/exec_order_12898.pdf - E.O. 12898

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/index.cfm> - HUD

Environmental Justice Webpage

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/acomitmenttocommunities.pdf> -

HUD - Environmental Justice Implementation Report



Community Development Block Grant Program

301 W. High Street, Room 770

PO Box 118

Jefferson City, MO 65102

ENVIRONMENTAL ASSESSMENT

For State of Missouri CDBG-funded Projects

PROJECT NAME	CDBG PROJECT # (IF FUNDED)
RESPONSIBLE ENTITY: [24 CFR 58.2(A)(7)(II)]	
CERTIFYING OFFICER NAME & TITLE: [24 CFR 58.2(A)(2)]	

<u>CDBG ENVIRONMENTAL ASSESSMENT</u>	
PROJECT LOCATION	
ESTIMATED TOTAL PROJECT COST, ALL SOURCES	AMOUNT OF CDBG ASSISTANCE PROPOSED
NAME OF GRANT <u>SUB-RECIPIENT</u> , IF APPLICABLE	
SUB-RECIPIENT CONTACT PERSON, ADDRESS, PHONE	
RESPONSIBLE ENTITY <u>PROJECT CONTACT</u> NAME, ADDRESS, PHONE	
<p><u>CONDITIONS FOR APPROVAL</u>, <i>as appropriate</i>: (List all mitigation and project modification measures adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts. These conditions must be included in project contracts and all relevant agreement documents.)</p> <p>[24 CFR 58.40(d), 40 CFR 1505.2(c)]</p>	

CDBG ENVIRONMENTAL ASSESSMENT

FINDING: [58.40(g)]

☐ **Finding of No Significant Impact (FONSI)**

The project will not result in a significant impact on the quality of the human environment. Mitigation and project modification measures, as listed under 'Conditions for Approval', will be adopted by the Responsible Entity to eliminate or minimize adverse environmental impacts.

☐ **Finding of Significant Impact**

The project may significantly affect the quality of the human environment. The project must be rejected unless the Responsible Entity completes an Environmental Impact Statement.

In my capacity as Preparer of the Environmental Assessment, as designated by the Responsible Entity, I hereby attest that the Environmental Assessment document is true and complete to the best of my knowledge and supports the Finding indicated above:

PREPARER SIGNATURE

DATE

PREPARER NAME & TITLE

PREPARER'S AGENCY (IF DIFFERENT FROM RE)

In my capacity as Certifying Officer on behalf of the Responsible Entity and in conformance with 24 CFR Part 58, I have reviewed the attached CDBG Environmental Assessment prepared by the above-designated individual. I have independently evaluated the information contained within Environmental Assessment, supplemented the information, where appropriate, and, on behalf of the Responsible Entity, remain responsible for the accuracy of the information contained therein. I hereby approve of the Finding and conditions indicated above:

RE APPROVING OFFICIAL SIGNATURE

DATE

RE APPROVING OFFICIAL NAME & TITLE

CDBG ENVIRONMENTAL ASSESSMENT

Purpose of the Project: [“Statement of Purpose and Need of the Proposal” – 40 CFR 1508.9(b)]
(Attach additional pages as necessary.)

Description of the Project: Include all contemplated actions proposed by all funding sources as part of the project. [24 CFR 58.32, 40 CFR 1508.25] Attach additional descriptive information, including scaled location map, U.S.G.S. topographic map, aerial photograph, site plans, renderings, photographs, budgets, etc. (Attach additional pages as necessary.)

Existing Conditions and Trends: Describe existing conditions of the project area and its surroundings, and the trends likely to continue in absence of the project. [24 CFR 58.40(a)]

<u>CDBG ENVIRONMENTAL ASSESSMENT</u>		
<u>HISTORIC PROPERTIES</u> (Historic Preservation Act 16 U.S.C. 470 & 36 CFR Part 800)		
1. Is any property in the project listed or is eligible for listing on the National Register of Historic Places?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
2. Is any property in the project located within or directly adjacent to a historic property?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
3. Are all activities, regardless of funding source, included for the review? If no, forward additional information on all remaining activities to the SHPO for review, or if a tiered review, as activities and/or properties become known..	<input type="checkbox"/> YES	<input type="checkbox"/> NO
4. Could the project or undertaking have religious or cultural significance to an Indian tribe?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
5. Has a reasonable good-faith effort been made to identify any Federally-recognized Indian tribes that may have an interest in the project or undertaking?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
6. Is a cultural resource survey required as part of the Section 106 Review? If yes, indicate the type required and date accepted. <input type="checkbox"/> Architectural Survey Completed – Date of SHPO acceptance letter: _____ <input type="checkbox"/> Archaeological Survey Completed – Date of SHPO acceptance Letter: _____	<input type="checkbox"/> YES	<input type="checkbox"/> NO
7. Result of Section 106 Review: <input type="checkbox"/> No Historic Properties Affected - Date of SHPO Letter(s): _____ <input type="checkbox"/> No Adverse Affect – Date of SHPO Letter(s): _____ <input type="checkbox"/> No Adverse Effect With Conditions – List conditions: _____ <input type="checkbox"/> Date of SHPO acceptance letter: _____ <input type="checkbox"/> Adverse Affect - Project is either rejected or will require a Memorandum of Agreement (MOA) with the SHPO		

CDBG ENVIRONMENTAL ASSESSMENT

8. MOA - Do terms of the MOA require that:

- ☐ All stipulations must be complete and approved by the SHPO prior to beginning any physical project activities

(Remember to amend this page and attach documentation once SHPO acceptance is received.)

- ☐ Physical project activities may begin, but all stipulations must be approved by the SHPO prior to project close out

- ☐ MOA Stipulations Accepted by the SHPO – Date of SHPO letter: _____

9. Has compliance with SHPO been met?

☐ YES ☐ NO

If no, explain why:

10. Check all source documentation applicable to this project and attach:

- ☐ SHPO Section 106 Project Information Form & Attachments
- ☐ Consultation correspondence (letters, e-mails, faxes, recorded phone calls)
- ☐ Cultural Resource Survey documentation
- ☐ MOA documentation completed and accepted by the SHPO
- ☐ SHPO Review letter(s) completed and accepted by the SHPO
- ☐ Other: _____

CDBG ENVIRONMENTAL ASSESSMENT

FLOODPLAIN MANAGEMENT

(E.O. 11988, 24 CFR Part 55)

1. Floodplain Management applies to projects involving ANY of the following - check all that apply to your project:

- ☐ Acquisition of land or buildings
- ☐ New Construction
- ☐ Substantial Rehabilitation, (i.e., modifications and improvements to buildings, where rehabilitation costs exceed 50% of the pre-rehabilitation value of the building or where residential density increases by more than 20%)
- ☐ Expanding the footprint of buildings or structures
- ☐ Infrastructure Improvements – Water, Sewer, Drainage, Roads, and Ditches
- ☐ Other activities affecting land use _____

2. Is the project located within a *100-year floodplain* or *designated floodway*? ☐ YES ☐ NO

If Yes, skip to #4. If No, go on to #3.

3. You have determined that your project is not located in a floodplain. Document your determination by completing the following:

Source Documentation: Attach the FEMA Firmette Map or Flood Insurance Rate Map and mark the site of the project location on the map.

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

If the area has not been mapped, obtain the best information possible from one or more of the following qualified sources: (Check all sources used and attach all documentation received)

- ☐ Community Flood Administrator
- ☐ US Army Corps of Engineers
- ☐ US Geological Survey Maps
- ☐ USDA Natural Resources Conservation Service
- ☐ Regional Planning Commission/Regional Council of Government
- ☐ Local flood control or levee district
- ☐ Other _____

4. You have determined that your project is located in a floodplain/wetland. The HUD 8-Step Decision Making Process is required. Complete and attach the following 8-Step Decision Making form and all supporting documentation.

CDBG ENVIRONMENTAL ASSESSMENT

HUD 8-STEP DECISION MAKING PROCESS

(Decision Making Process Under E.O. 11988 and 24 CFR 55.20)

(Attach additional pages as necessary for any step in the process.)

STEP 1 – Determine if the proposed action/project is located in a 100-year floodplain/wetland.

Attach the FEMA Firmette Map or Flood Insurance Rate Map and complete the following:

Community Name/Number: _____

Map Panel and Date of Map Panel: _____

(Continue to Step 2)

- ☐ Check here if the area has not been mapped by FEMA, and continue below.

If the area has not been mapped by FEMA, obtain and attach the best information available from one or more of the following accepted sources (check all sources used):

- ☐ Community Flood Administrator
- ☐ US Army Corps of Engineers
- ☐ US Geological Survey Maps
- ☐ USDA Natural Resources Conservation Service
- ☐ Regional Planning Commission/Regional Council of Government
- ☐ Local flood control or levee district
- ☐ Other _____

STEP 2 – Involve the public in the decision-making process.

Publish the Early Public Notice

The Early Public Notice is a notice of the proposal to consider an action in the floodplain/wetland. The notice must be published in a non-legal section of the newspaper of widest circulation. *A 15-day comment period commences the day after publication.* If the RE receives any written comments, the RE must respond in writing and resolve any issues and provide copies CDBG. Attach a copy of the notice and the affidavit of publication to this form. (Early Public Notice, page Iv-96)

Name of Newspaper: _____

Date of publication: _____

CDBG ENVIRONMENTAL ASSESSMENT

STEP 3 – Evaluate alternatives to locating the proposed action in a floodplain.

Explain in detail each of the following to determine if the floodplain and/or wetland can be avoided:
(Attach additional pages if necessary)

- a. Identify if alternative sites suitable for the project exist outside the floodplain/wetland:
- b. Identify if feasible alternative actions may be used to fulfill the identical project objective:
- c. Identify if threats to lives and property and/or adverse impacts on the floodplain/wetland *outweigh* the benefits of the proposed project:

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STEP 4 – Identify indirect and direct impacts associated with occupying or modifying the floodplain/wetland.

If the RE determines the only practicable alternative for the project/action is occupying or modifying the floodplain/wetland, the impacts must be identified. If the RE determines that an alternative site for the project exists out of the floodplain/wetland, project activities may still have an impact on the nearby floodplain/wetland, and must also be identified to minimize harm.

Explain in detail how the project/activity will affect the floodplain/wetland with respect to each of the following types of impacts:

Positive or beneficial impacts, both direct and indirect:

Negative or harmful impacts, both direct and indirect:

Concentrated impacts – at or near the floodplain/wetland:

Dispersed or remote impacts occurring distant from the floodplain/wetland:

Short-term impacts to the floodplain/wetland (impacts that are temporary occurring immediately after an action lasting only a short while):

Long-term impacts to the floodplain/wetland (impacts that occur during or after an action that persist for considerable time or indefinitely):

CDBG ENVIRONMENTAL ASSESSMENT

STEP 5 – Identify mitigation measures to reduce impacts and preserve benefits of the floodplain/wetland.

- a. How will actions be designed and modified to minimize harm to or within the floodplain/wetland?
- b. How will actions be designed and modified to restore and/or preserve as much of the natural and beneficial floodplain values as possible?

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STEP 6 – Re-evaluate alternatives identified in Step 3, taking into account all identified impacts and mitigation measures.

- a. Is it possible to modify or relocate the project/activity? Explain.
- b. If there are no alternatives, should the project/activity occur? Explain.

CDBG ENVIRONMENTAL ASSESSMENT

STEP 7 – If the re-evaluation results in no practicable alternative to relocate the project out of the floodplain/wetland, the decision must be made public.

Publish the Notice of Explanation

The Notice of Explanation must include reasons for locating the project/activity in the floodplain/wetland, all alternatives considered, and all mitigations measures planned.

The notice must be published in a non-legal section of the newspaper of widest circulation. *A 7-day comment period commences the day after publication.* If the RE receives any written comments, the RE must respond in writing and resolve any issues and provide copies CDBG. Attach a copy of the notice and the affidavit of publication to this form.

Name of Newspaper:_____

Date of publication:_____

STEP 8 – Implement the Project.

Project implementation can only proceed provided compliance has been demonstrated with respect to all of the prior steps and provided the project has been approved by the State in accordance with HUD regulation 24 CFR Part 58.

The Responsible Entity has a continuing responsibility to ensure that the mitigating measures identified in Step 7 are implemented. Mitigation measures must be incorporated, as appropriate, in project contracts and all related agreement documents.

CDBG ENVIRONMENTAL ASSESSMENT

FLOOD INSURANCE

(The Flood Disaster Protection Act of 1973, 24 CFR 58.6)

The threshold for flood insurance requirements is included in *The Flood Disaster Protection Act of 1973*, as amended, requiring property owners purchase flood insurance for buildings located within *Special Flood Hazard Areas (SFHA)*, when Federal financial assistance is used to acquire, repair, improve, or construct a building. Owners of HUD-assisted properties located within Special Flood Hazard Areas (SFHA) must purchase and maintain flood insurance protection as a condition of approval of any HUD financial assistance for proposed property acquisition, rehabilitation, conversion, repair or construction. *Compliance with mandatory flood insurance purchase does not constitute compliance with floodplain management requirements discussed under Floodplain Management of this document.*

Information on the location of SFHA's is available on Flood Insurance Rate Maps (FIRM) published by the Federal Emergency Management Agency (FEMA).

1. Does any portion of the project lie within a SFHA as determined by a FEMA Flood Insurance Rate Map? ☐ YES ☐ NO

2. Does the Responsible Entity participate in the National Flood Insurance Program? ☐ YES ☐ NO

3. Is the Responsible Entity in good standing with the National Flood Insurance Program? ☐ YES ☐ NO

4. If the Responsible Entity is not in good standing with the NFIP or does not participate in the NFIP, and any portion of the project lies within a SFHA, flood insurance must be acquired and/or project modifications and/or alternatives required prior to the completion of any work, regardless of funding source, in order to comply with HUD and FEMA regulations, and CDBG program requirements. Contact CDBG for consultation.

5. Is the Responsible Entity in compliance with National Floodplain Insurance Requirements? ☐ YES ☐ NO

<http://www.hud.gov/offices/cpd/environment/review/floodinsurance.cfm> -HUD Flood Insurance

<http://www.hud.gov/offices/cpd/environment/review/qa/floodinsurance.cfm>-Flood Insurance Q&A

http://www.fema.gov/plan/prevent/floodplain/How_the_NFIP_works.shtm - FEMA NFIP

<http://www.fema.gov/cis/MO.pdf> - MO communities participating in the National Flood Program

<http://sema.dps.mo.gov/NFIPContactList.pdf> - MO List of Floodplain Managers

http://msc.fema.gov/webapp/wcs/stores/servlet/info?storeId=10001&catalogId=10001&langId=-1&content=firnetteHelp_0&title=FIRMette%20Tutorial – FEMA Map Service Center

FEMA Region VII (NFIP Regional Office)

Suite 3401 South Main Street
Ottawa, KS 66067-2300
(785) 242-1097 or -4799
fax: (785) 242-4338

CDBG ENVIRONMENTAL ASSESSMENT

WETLANDS PROTECTION

(E.O. 11990, 24 CFR Part 55)

Executive Order 11990 requires all Federal agencies to avoid impacts to wetlands, including direct or indirect impacts, and to refrain from supporting construction in wetlands whenever there is a practicable alternative.

1. Compliance with Wetlands Protection applies to *Land Acquisition or Construction* associated with ANY of the following - check all that apply to your project:

- ☐ Buildings and structures
- ☐ Roads
- ☐ Sewer and water systems
- ☐ Storm drains and ditches
- ☐ Flood control systems
- ☐ Dredging, filling, excavation (includes rehabilitation to existing buildings and structures)
- ☐ Expansion or altering the footprint of buildings or structures

2. Review and attached Wetland maps if any of the above activities are involved in the project. Access acceptable maps from any of the following:

<http://wetlandsfws.er.usgs.gov/> - FWS Wetlands Mapper (National Wetlands Inventory)

<http://topozone.com/> - TopoZone webpage

<http://ims.missouri.edu/moims/step1.aoi/countylist.asp> - UMC GIS and Internet Mapping

3. The maps listed above are for preliminary screening purposes only. If any question still exists as to the potential wetland presence or the project area has not been mapped for wetlands, contact the USFWS, Army Corps of Engineers or NRCS to obtain a wetlands determination. A wetland determination is made in accordance with the Corps' 1987 Wetland Delineation Manual and can be performed by the following agencies or by a private consultant.

Submit cover letter with detailed project description, location of project including township, range and section, a clear and detailed map, and preferably color photographs of the area to:

U.S. Fish & Wildlife Service
Columbia Ecological Services Field
Charlie Scott, Field Supervisor or Rick Hanson
101 Park DeVille Drive, Suite A
Columbia, MO 65203-0057
Phone: 573-234-2132

Additional assistance for wetland determinations may be obtained by contacting USDA Natural Resources Conservation Service (NRCS) and/or the US Army Corps of Engineers. Contact information for each of the agencies' regions is available in the CDBG Environmental Resource Manual.

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4. Is the project in a designated wetland as indicated by qualified sources? ☐ YES ☐ NO

** If it is determined that that project lies in a wetland/floodplain, you MUST comply with the HUD 8-Step Decision Making Process – Refer to the Floodplain Management section of this document for the required format.

Is the HUD 8-Step Decision Making Process applicable? ☐ YES ☐ NO

If yes, attach all related documentation.

5. Permitting Requirements: The project may require a Section 404 Permit from the U.S. Army Corps of Engineers prior to any construction activities. If applicable, obtain the permit and attach.

Does the project require a Section 404 Permit? ☐ YES ☐ NO

If yes, attach all related documentation.

Check all source documentation applicable and attach:

- ☐ FWS Map(s)
- ☐ Maps from other qualified agencies
- ☐ Consultation correspondence (letters, e-mails, faxes, documented phone calls)
- ☐ HUD 8-Step Decision Making documentation
- ☐ FWS Clearance
- ☐ Other qualified agency clearance(s): _____
- ☐ 404 Permitting Information
- ☐ Other sources of documentation: _____

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COASTAL ZONE MANAGEMENT

There are no Coastal Zones in Missouri.

Compliance Documentation:

Print documentation from website or obtain from Environmental Resource Manual and attach.

<http://ocrm.nos.noaa.gov/czm/czmsitelist.html>

<u>CDBG ENVIRONMENTAL ASSESSMENT</u>
<u>AIRPORT HAZARDS (Clear Zones and Accident Potential Zones)</u>
24 CFR Part 51 Subpart D
<p>HUD funds may not be used for assistance, subsidy, or insurance for construction, land development, community development, or redevelopment designed to make land available for construction, or rehabilitation that significantly prolongs the life of existing facilities in designated Runway Clear Zones (RCZ) at civil airports or Clear Zones (CZ) at military airfields, except where written assurances are made that the project proposed for development will not be frequently used by people, and where written assurances are provided by the airport operator indicating no plans exist to purchase the property as part of a RCZ or CZ acquisition program.</p> <p>If CDBG funds are proposed for development in proximity to these areas, documentation must be provided that the program will comply with requirements referenced above.</p>
<p>1. Do project activities, regardless of funding source, involve new construction, major rehabilitation, change of land use, increase in residential density, or acquisition of real property? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>2. Is the project site located within 2,500 feet of the end of a civil airport runway or within 2 ½ miles from the end of a military airfield? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>
<p>3. If the answer to either question is <u>NO</u>, compliance has been attained provided support documentation is attached.</p>
<p>4. If the answer to both questions is <u>YES</u>, documentation must be attached indicating compliance with 24 CFR Part 51 Sub-part D. Contact the applicable airport operator for dimensions of the affected zones and provide documentation that the project is located outside the affected zones.</p>
<p>List attached compliance documentation:</p>
<p><u>Acceptable Compliance Documentation:</u></p>
<p><u>Map showing project location in relation to airport/airfield:</u></p> <ol style="list-style-type: none"> http://www.topozone.com – TopoZone Maps http://ims.missouri.edu/moims/step1.aoi/countylist.asp - CARES Interactive Maps – select “Transportation” map layer.
<p><u>Related Compliance Documentation:</u></p> <ol style="list-style-type: none"> HUD Memo and list of Primary/Commercial Services Airports provided in the Environmental Resource Manual. http://www.airnav.com/airports/ - AirNav.com lists airport information by state. http://www.aircraft-charter-world.com/airports/northamerica/missouri.htm - civil and military airports listed by state.
<p>24 CFR Part 51 Sub-part D is contained in the Environmental Review Resource Manual</p>

CDBG ENVIRONMENTAL ASSESSMENT

ENDANGERED SPECIES

(Endangered Species Act (ESA), Section 7 - 50 CFR Part 402)

The ESA mandates that Federally-assisted activities not jeopardize the existence of plants and animals that are listed or proposed for listing on the endangered species list. Activities proposed for areas harboring such species must avoid adversely modifying or destroying their habitat.

<http://www.fws.gov/endangered/esaall.pdf> - Endangered Species Act of 1973

If the project involves acquisition, new construction, site clearance, or public infrastructure improvements contact the following agencies for review and clearance, and attach all related documentation.

U.S. Fish & Wildlife Service

Columbia Ecological Services Field
Charlie Scott, Field Supervisor or Rick Hanson
101 Park DeVille Drive, Suite A
Columbia, MO 65203-0057
Phone: 573-234-2132

FWS Website: <http://www.fws.gov/endangered/listing/index.html>

MO Department of Conservation (MODOC)

Shannon Cave
2901 W. Truman Blvd.*PO Box 180
Jefferson City, MO 65102
573/522-4115, ext. 3250

MODOC Website: <http://mdcgis.mdc.mo.gov/heritage/> - Provides information to federal, state and local agencies, corporations and consultants about threatened and endangered species, and their habitats. The information should be obtained early in the planning process to design, locate and evaluate proposed projects so that environmental impacts may be avoided or reduced in order to help conserve Missouri's natural resources.

Contact the U.S. Army Corps of Engineers (USACE) regarding permitting when proposed projects involve activities in natural wetlands, streams, rivers, or reservoirs. Regional contact information is located in the Environmental Review Resource Manual or at the following websites:

<http://www.nwk.usace.army.mil/regulatory/boundary.htm> - Kansas City District Office

<http://www.nwk.usace.army.mil/regulatory/permitap.htm#general> – Permitting Information

<http://www.mvs.usace.army.mil/dinfo/mapdist.htm> - St. Louis District maps

The St. Louis District's boundaries are based on watersheds. If you are not sure if your project falls within our district after checking [our map](#) please e-mail our [Cartographer](#) with a legal description (Section, Township, and Range) or the Latitude and Longitude.

<http://www.mvs.usace.army.mil/permits/missouri.htm> - St. Louis contacts for permitting requirements

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Compliance:

Are mitigation measures required by any agency?

☐ YES ☐ NO

If yes, explain the requirements, if they are feasible in relation to project goals and completion, description of the mitigation plan to address issues, if mitigation measures are required for completion prior to commencing any physical activity, etc: (Attach additional pages as necessary.)

Check all source documentation applicable and attach:

- ☐ FWS clearance
- ☐ MODOC clearance
- ☐ Consultation correspondence (letters, e-mails, faxes, documented phone calls)
- ☐ Permitting Information
- ☐ Other sources of documentation: _____

☐ **Compliance has been met.**

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WILD AND SCENIC RIVERS

(Wild and Scenic Rivers Act of 1968, 36 CFR Part 297)

The National Wild and Scenic River System was established to conserve the scenic, recreational, and fish and wildlife values of certain rivers. The Wild and Scenic Rivers Act applies to rivers or segments of rivers designated by Congress or States. Information may be found in the CDBG Environmental Resource Manual and at websites indicated below.

<http://www.nps.gov/rivers/wsract.html> - Wild & Scenic Rivers Act

<http://www.washingtonwatchdog.org/documents/cfr/title36/part297.html> - 36 CFR Part 297

Compliance:

Assess whether or not any proposed actions will occur within one mile of a Wild or Scenic River.

1. **Federally Recognized Wild and Scenic Rivers:** Missouri has one Federally recognized wild and scenic river, the *Eleven Point River*. Print the following website information and attach:
<http://www.nps.gov/rivers/wsr-eleven-point.html> - The Eleven Point River

Is the project site within one mile of the Eleven Point River?

☐ YES ☐ NO

- a. If no, attach the website information and check the box at the bottom of the page indicating that compliance has been met.
- b. If project activities occur within one mile of the river and may have the *potential* to adversely impact the river, contact the following and attach all related documentation:

U.S. Fish & Wildlife Service

Columbia Ecological Services Field

Charlie Scott, Field Supervisor or Rick Hanson

101 Park DeVille Drive, Suite A

Columbia, MO 65203-0057

Phone: 573-234-2132

Are mitigation measures required by FWS?

☐ YES ☐ NO

If yes, explain the requirements, if they are feasible in relation to project goals and completion, description of the mitigation plan to address issues, if mitigation measures are required for completion prior to commencing any physical activity, etc:

☐ **Compliance has been met for Federally recognized wild and scenic rivers.**

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2. State Wild and Scenic Rivers:

The Nationwide Rivers Inventory (NRI) is a list of free-flowing river segments in the United States believed to possess one or more "outstandingly remarkable" natural or cultural values judged to be of more than local or regional significance. Under a 1979 [Presidential directive](#), and related [Council on Environmental Quality procedures](#), all federal agencies must seek to avoid or mitigate actions that would adversely affect one or more NRI segments. The NRI is a source of information for statewide river assessments and federal agencies involved with stream-related projects.

<http://www.nps.gov/ncrc/programs/rtca/nri/states/mo.html> - National River Inventory, MO segments

Is the project site within one mile of a State designated wild or scenic river? ☐ YES ☐ NO

- a. If no, attach the website information and check the box at the bottom of the page indicating that compliance has been met.
- b. If project activities occur within one mile of the river and may have the *potential* to adversely impact the river, contact the following and attach all related documentation:

National Park Service
Environmental Compliance
Midwest Regional Office
601 Riverside Drive
Omaha, Nebraska 68102
402-661-1848

Are mitigation measures required by the National Park Service? ☐ YES ☐ NO

If yes, explain the requirements, if they are feasible in relation to project goals and completion, description of the mitigation plan to address issues, if mitigation measures are required for completion prior to commencing any physical activity, etc:

☐ **Compliance has been met for State recognized wild and scenic rivers.**

CDBG ENVIRONMENTAL ASSESSMENT

FARMLAND PROTECTION

(Farmland Protection Policy Act, 7 CFR 658)

The purpose of the Farmland Protection Policy Act is to minimize unnecessary and irreversible conversion of farmland to non-agricultural uses.

This is NOT applicable to lands already in or committed to urban development or water storage.

This IS applicable to land designated as *prime* or *unique* agricultural lands by USDA Natural Resources Conservation Services, including forestland, pastureland and cropland.

Compliance:

Does the project involve new construction, acquisition or disposition of agricultural land, pasture or forested land that would result in development or conversion for non-agricultural use?

☐ No Indicate current zoning classification/land use of proposed project site:

Describe the current land use of the project site and the surrounding or adjacent parcels for the project site. Explain compatibility of project activities with current land use. Attach support documentation for current zoning classification or land use and additional pages as necessary:

☐ Yes Complete the *Farmland Conversion Impact Rating Form AD 1006* located in the Environmental Resource Manual or at the following website:
http://www.nrcs.usda.gov/programs/fppa/pdf_files/AD1006.PDF and submit to the USDA Natural Resources Conservation Services (NRCS) office *in your region*. Contact information for the NRCS office may be accessed at the following website or in the Environmental Resource Manual.
http://www.mo.nrcs.usda.gov/technical/soils/tss/out/nrcs_tss.jpg

Describe the outcome of the NRCS rating, any conditions or mitigation measures required, and the feasibility of these requirements in relation to project goals. Attach all related documentation:

Related Website:

<http://maproom.missouri.edu/> - UMC Cares Map Room

The map site listed above is for *preliminary screening purposes only*.

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NOISE CONTROL

(24 CFR Part 51, Sub-part B)

The purpose of this regulation is to encourage suitable separation between noise sensitive land uses and major noise sources. The HUD Noise Regulation establishes standards, requirements, and guidelines regarding noise control and abatement for HUD assisted projects. If other funding sources are assisting the project and also require noise control, comply with the strictest noise standards.

1. Is the proposed project a noise sensitive land use, e.g. residential use, school, day care center, community center, library, hospital, nursing home, auditorium, health clinic, shelter, etc.? ☐ YES ☐ NO

2. Is the proposed project located within proximity of the following major noise sources? ☐ YES ☐ NO

If yes, check all that apply

- ☐ Within 1,000 feet of a major roadway (high volume traffic, heavy truck traffic, etc.)
- ☐ Within 3,000 feet of a railroad
- ☐ Within 15 miles of an airport
- ☐ Other significant noise sources (e.g. industrial/manufacturing facilities, power generating stations, etc.)

3. If both #1 and #2 applies, a Noise Assessment is *required*. Refer to the 'HUD Noise Guidebook' at the website below. Contact CDBG if assistance is needed. Attach all related documentation.
<http://www.hud.gov/offices/cpd/energyenviron/environment/resources/guidebooks/noise/index.cfm>

4. If a Noise Assessment was required and completed, attach the assessment and indicate the outcome:

Exterior Noise is determined: (DNL = Day Night Average Sound Level)

- ☐ ACCEPTABLE - Noise is determined 65 DNL or less
- ☐ NORMALLY UNACCEPTABLE - Noise exceeds 65 DNL up to 75 DNL
- ☐ UNACCEPTABLE – Noise exceeds 75 DNL

5. If noise levels were determined NORMALLY UNACCEPTABLE:

- ☐ Noise attenuation activities are feasible to meet acceptable internal and external noise levels. Attach analysis of mitigation measures, including construction specifications.
- ☐ An alternative project site will be used.
- ☐ Noise attenuation activities are NOT feasible to meet acceptable internal and external noise levels and there are no alternative sites - the project is rejected.

6. If noise levels were determined UNACCEPTABLE:

- ☐ An alternative project site will be used.
- ☐ No alternative project site is available. The project is rejected.

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EXPLOSIVE AND FLAMMABLE OPERATIONS

(24 CFR Part 51 Sub-part C)

HUD-assisted projects must be assessed for the presence of facilities that present an explosive or flammable hazard to project sites in an effort to prevent injury to occupants and damage to buildings from industrial accidents.

1. Does the proposed project involve any of the following *residential* activities: ☐ YES ☐ NO
conversion of non-residential land to residential land use, rehabilitation
where unit density is increased, new housing construction, or vacant
buildings made habitable?

2. Does the proposed project entail institutional, recreational, commercial, or ☐ YES ☐ NO
industrial use, including open spaces, where people may congregate?

3. If no to #1 or #2, document that no Explosive or Hazardous Operations are relevant to the project by
attaching acceptable source documentation as indicated below.

4. If yes to #1 or #2, is there a facility with an aboveground storage tank(s) ☐ YES ☐ NO
located within 1-mile, or within sight of the project site? (Look for
stationary hazardous facilities that store, handle, or process chemicals or
petrochemicals of an explosive or flammable nature such as liquid propane,
gasoline, or other volatile substances.)

If yes, the Acceptable Separation Distance (ASD) must be determined. Refer to the 'Siting of HUD-
Assisted Projects Near Hazardous Facilities Guidebook' at the website below. Contact CDBG if
assistance is needed. Attach all related documentation.

<http://www.hud.gov/offices/cpd/energyenvirom/environment/resources/guidebooks/hazfacilities/index.cfm>

Acceptable Sources of Information:

- Local fire marshal, fire department, or fire prevention agencies
- City, county, or project engineer
- Private property owners operating aboveground tanks
- Documented visits of site and surrounding area, accompanied by photographs
- Current aboveground tank inspection reports
- Current aerial photographic map
- Current U.S.G.S topographic map
- Survey land use maps

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WATER QUALITY

Water Supply and Ground Water

(Safe Drinking Water Act of 1974, Clean Water Act,)

The Safe Drinking Water Act (SDWA) protects public health by regulating the nation's public drinking water supply. The law requires many actions to protect drinking water and its sources: rivers, lakes, reservoirs, springs, and ground water wells. SDWA does not regulate private wells which serve fewer than 25 individuals. SDWA applies to every public water system in the U.S.

<http://www.epa.gov/safewater/sdwa/index.html> - Safe Drinking Water Act of 1974

<http://www.epa.gov/r5water/cwa.htm> - Clean Water Act

1. Is there an existing municipal or public water supply adequate to serve the project? ☐ YES ☐ NO

Is the water supply safe and free of contamination? ☐ YES ☐ NO

Explain and attach inspection reports, letters, and/or documented telephone calls from the Public Water Supply District or comparable source.

2. Will any waterways be affected by the project? ☐ YES ☐ NO

Documentation: Explain and locate and identify on a map, any rivers, lakes, streams, or other water bodies that may receive effluent discharges from the project site that could impact potable water. Attach any other documentation from qualified sources.

3. Does the project entail any of the following activities: acquisition of undeveloped land, change of land use or new construction? ☐ YES ☐ NO

If yes, will the project draw water from a Sole Source Aquifer? ☐ YES ☐ NO

Print and attach supporting documentation. EPA-designated sole source aquifers are listed at:

<http://www.epa.gov/OGWDW/swp/ssa/reg7.html>

4. Will the project involve drilling a well? ☐ YES ☐ NO

If yes, is the location subject to rapid water withdrawal problems that will change the depth of the water table? ☐ YES ☐ NO

Documentation: Attach county health department inspection reports, letters and/or documented telephone calls.

5. Will the project use a private well for its water supply? ☐ YES ☐ NO

If yes, has the source been tested and free of contamination? ☐ YES ☐ NO

Are there septic systems present on or around the project site and have they been properly installed and maintained? ☐ YES ☐ NO

Contact the DNR Public Drinking Water Program before construction begins on any public water supply well to determine if it is a non-community or community supply, and if an engineer is required to evaluate the supply.

Documentation: Explain and attach recorded site visits, documented conversations with property owners, county health department.

For Further Information:

<http://www.dnr.mo.gov/env/wrc/surfh2o.htm>

<http://www.dnr.mo.gov/env/wrc/groundwater/gwnetwork.htm> - DNR - Ground Water

<http://www.dnr.mo.gov/env/wrc/welltypes.htm> - DNR - Water Wells

<http://cfpub.epa.gov/surf/locate/index.cfm> - EPA - Locate Your Watershed

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AIR QUALITY

(Clean Air Act 42 U.S.C. 7400 Section 176 & 171, 40 CFR Parts 6, 51, 93)

Federal, State and Local Compliance

1. Is the project located in an EPA-designated non-attainment or maintenance area for one or more of the six criteria pollutants regulated under the Clean Air Act? Print and attach support documentation from the following EPA website: <http://www.epa.gov/oar/oagps/greenbk/ancl.html#MISSOURI> ☐ YES ☐ NO

If yes, a determination of conformity with the State Implementation Plan (SIP) is required with respect to the proposed project and the specific pollutant for which the area was designated a non-attainment or maintenance area. Contact the EPA Regional Office to determine if the proposed project is one that requires a permit under the SIP. If yes, obtain a letter of consistency from the agency showing that the project is consistent with the SIP and attach all correspondence.

2. Does the project require installation and/or operating permits, or an indirect sources permit, in accordance with the Clean Air Act? ☐ YES ☐ NO
<http://www.dnr.mo.gov/forms/> - DNR Permitting

3. Will the project comply with local pollution control agency rules, including the generation of dust during construction activities? ☐ YES ☐ NO

4. Provide information indicating whether or not the project could establish a trend, which if continued, would lead to violation of air quality standards in the future, and what mitigation measures are needed to minimize the affects. Consider the sources, types, and amounts of air emissions that could be generated by the finished project once operation commences, and mitigation necessary to minimize air emissions to meet compliance.

Indoor Air Quality

Provide information on the sources and types of air emissions that could affect indoor air quality after construction, including asbestos, radon, and mold.

1. Asbestos: Does the project have the potential to disturb any friable asbestos containing building materials (ACBM)? ☐ YES ☐ NO

If yes, compliance with DNR asbestos regulations is required. Attach all supporting documentation.

<http://www.dnr.mo.gov/alpd/apcp/Asbestos.htm> - DNR – Asbestos Requirements

<http://www.epa.gov/ttn/atw/hlthef/asbestos.html> - EPA - Asbestos Information

CDBG ENVIRONMENTAL ASSESSMENT

- | | | |
|---|------------------------------|-----------------------------|
| 2. <u>Radon</u> : Does the project entail construction or major rehabilitation of any type of building that will be used for residential purposes or frequent occupancy of people (e.g., commercial store, industrial facility, library, community facility). | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| <p>If yes, and the project is existing construction, a radon test must be conducted and the test results attached. Do the test results indicate radon levels in excess of 4 picocuries (A picocurie is a unit of measure for levels of radon gas (pCi)?</p> <p>http://www.epa.gov/radon - EPA Radon</p> <p>http://www.epa.gov/radon/zonemap/missouri.htm - EPA - Radon in Missouri</p> | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 3. <u>Mold</u> : Does the project entail rehabilitation of any building having existing evidence of mold on any building component or interior moisture-related problem, including roof leaks or moisture in and around the interior foundation or crawl space? | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| <p>If yes, describe how the mold will be eliminated and the construction measures to be taken to eliminate source(s) of mold-inducing moisture inside the structure.</p> <p>http://www.epa.gov/mold/moldresources.html - EPA - Mold</p> | | |
| 4. <u>Noxious Odors or Fumes</u> : Provide information on potential odors emissions and mitigation required to minimize off-site migration of noxious odors or fumes. | | |

CDBG ENVIRONMENTAL ASSESSMENT

CONTAMINATION AND TOXIC MATERIALS

(HUD Policy on Site Contamination [Sec. 58.5(i)(2)])

HUD-assisted project sites *must* be free of contamination and chemicals where a hazard could affect the health and safety of occupants or conflict with intended use of the property. Particular attention should be given to sites located on or in proximity to landfills, industrial sites, gas stations, and other locations with the *potential* to contain contaminants. If property acquisition is proposed in the project, investigations must be completed and resolved prior to the transfer of property.

Identify Site Contamination: (Acceptable documentation: historical property data, site inspections, ASTM Phase I Site Assessment and, if applicable, Phase II and Phase III Assessments, other recent environmental studies, documentation from DNR and EPA staff)

1. What were the previous uses of the site (historical research of property, information from prior land owners, deed, title, easements, liens, aerial photographs, etc.)?

2. Assess and explain the potential for contamination and types of contaminants on and around the property:

Groundwater (drinking water, water for commercial food crops, etc.):

Air (vapors, gases, radon, airborne dust, asbestos, mold and other particulates, etc.):

Soil (dust, soil, outdoor recreational areas, school grounds, fill dirt, etc.):

3. Has a *current* ASTM Phase I Site Assessment been completed by a qualified professional? (Generally, a Phase I is considered current for 180 days) ☐ YES ☐ NO

Date of Phase I completion: _____

CDBG ENVIRONMENTAL ASSESSMENT

4. If a Phase I Site Assessment was completed, answer the following: (Attach the assessment) ☐ NA
- a. Does contamination exist or is suspected to exist? ☐ YES ☐ NO
- b. Will contaminants affect the health and safety of the occupants or conflict with the intended use of the site? ☐ YES ☐ NO
- c. Is a Phase II Assessment recommended? ☐ YES ☐ NO
5. If a current Phase I Assessment has not been completed, determine if it is needed. A Phase I Site Assessment is *strongly* recommended if the *potential* for contamination exists: ☐ NA
- a. Is the project site an EPA Superfund (CERCLA) site or within 1 mile of a Superfund Site? (print and attach web documentation)
<http://www.epa.gov/superfund/sites/locate/index.htm> - EPA Superfund Sites ☐ YES ☐ NO
- b. Have hazardous substances, pollutants, or contaminants been stored or dumped on the project site? (Document how determination was made.) ☐ YES ☐ NO
- c. Is the project site near an industry or in an industrial area that disposes chemicals and/or hazardous waste? (Document how determination was made.) ☐ YES ☐ NO
- d. Is the project site located within 3,000 feet of a toxic or solid waste landfill site? (Document how determination was made) ☐ YES ☐ NO
- e. Does the project site contain, or is it adjacent to, aboveground or underground storage tanks? (Document how determination was made) ☐ YES ☐ NO
- f. If tanks are present, contact DNR and attach documentation. Have any tanks been identified by DNR as leaking? ☐ YES ☐ NO
6. If a Phase II Assessment was recommended, has it been completed? ☐ YES ☐ NO ☐ NA
7. Was a Phase II Assessment completed on the project site prior to this proposed project? ☐ YES ☐ NO ☐ NA
- If yes, attach the assessment.
- Date Phase II Assessment completed: _____
8. Does contamination exist at the project site? ☐ YES ☐ NO ☐ NA

CDBG ENVIRONMENTAL ASSESSMENT

9. If contamination exists at the project site, is it feasible to perform clean up of the property – (Phase III Assessment)? (Consider the extent of contamination, if adequate funds are available for cleanup activities, if the timeframe for cleanup is compatible with timeline for project completion, etc.) ☐ YES ☐ NO ☐ NA

10. Is a Phase III Assessment required and completed? ☐ YES ☐ NO

If yes, attach the assessment.

11. Are there conditions for environmental approval? ☐ YES ☐ NO

If yes, explain.

Hazardous Waste information may be found in the CDBG Environmental Resource Manual and at the following websites:

<http://www.epa.gov/epaoswer/hazwaste/id/id.htm> - EPA Identifying Hazardous Waste

<http://www.epa.gov/epaoswer/hazwaste/ldr/resource.htm#hazwaste> – EPA – Hazardous Waste Handlers Databases

<http://www.dnr.mo.gov/env/hwp/index.html> - MD DNR Hazardous Waste Program

<http://www.epa.gov/radon/> - EPA Radon

<http://www.epa.gov/radon/zonemap/missouri.htm> - EPA - Radon in Missouri

<http://www.epa.gov/mold/moldresources.html> - EPA - Mold

<http://www.astm.org/cgi-bin/SoftCart.exe/index.shtml?E+mystore> - Association for Standards and Testing Methods (ASTM)

CDBG ENVIRONMENTAL ASSESSMENT

ENVIRONMENTAL JUSTICE

(E.O. 12898)

The purpose of Executive Order 12898 is to direct Federal agencies to identify and address as appropriate “disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations”. Generally, this applies to low-income and minority neighborhoods where HUD-assisted projects are proposed for acquisition of existing housing, acquisition of land for development, change in land use, demolition, major rehabilitation, and new construction. At a minimum, Environmental Justice should address the consideration of actual and potential environmental impacts to people of low-income and minority status as a result of the proposed project, mitigation measures to minimize adverse impacts as much as practicable within the principles of the Executive Order. It is imperative that consistency is maintained throughout the project.

1. **Indicate the zoning classification of the project site and immediate area.** (Acceptable support documentation includes maps, photographs, and description of the project and surrounding areas)

2. **Explain the opportunities for public involvement in decision making.** (Acceptable support documentation includes council/commission meeting or other public meeting minutes from public hearings indicating discussions and decisions throughout the life of the project, newspaper articles describing the project, project alternatives considered, etc.)

3. Is the proposed project located in or around a low-income or minority neighborhood? ☐ YES ☐ NO

4. Indicate all potential and actual environmental impacts, both positive and negative, regarding low-income and minority persons, as a result of the proposed project.

5. Explain all mitigation measures planned to minimize adverse environmental impacts.

Environmental Justice information may be found in the CDBG Environmental Resource Manual and at the following websites:

<http://www.epa.gov/compliance/environmentaljustice/> - EPA – Environmental Justice

http://epa.gov/compliance/resources/policies/ej/exec_order_12898.pdf - E.O. 12898

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/index.cfm> - HUD Environmental Justice Webpage

<http://www.hud.gov/offices/cpd/energyenviron/environment/subjects/justice/acomitmenttocommunities.pdf> - HUD - Environmental Justice Implementation Report

CDBG ENVIRONMENTAL ASSESSMENT

SOCIOECONOMIC

1. Land Use - Describe the existing and future land use for the project and its environs. Land use data is available from comprehensive master plans, neighborhood or regional land use plans, zoning information, and correspondence with city planners. The information may be supplemented with a review of aerial photography and windshield surveys. (Attach additional pages as necessary.)

2. Will the project conflict with existing uses or future plans, residential, commercial, or industrial uses in the vicinity, or environs of the project? ☐ YES ☐ NO
Explain.

3. Will the proposed project significantly alter the income, racial, or age distribution of the community or neighborhood? ☐ YES ☐ NO
Explain.

4. Will the proposed project contribute to urban sprawl? ☐ YES ☐ NO
Explain.

5. Will the project displace individuals, families, or businesses? ☐ YES ☐ NO
If yes, explain and implement the required steps of the Uniform Relocation Assistance and Real Property Acquisition Act (URA).
http://www.access.gpo.gov/nara/cfr/waisidx_04/24cfr42_04.html - URA regulation for HUD-assisted projects
<http://www.hud.gov/offices/cpd/library/relocation/> - HUD - Acquisition and Relocation Webpage
<http://www.hud.gov/offices/cpd/library/relocation/publications/1041.pdf> - HUD - "When a Public Agency Acquires Your Property"

6. Will the project significantly increase or decrease employment opportunities? ☐ YES ☐ NO
Explain.

For specific census/demographic information for states, counties, and cities:
http://factfinder.census.gov/home/saff/main.html?_lang=en - American Fact Finder (Enter the city, county, or zip, or choose a state)

CDBG ENVIRONMENTAL ASSESSMENT

COMMUNITY FACILITIES AND SERVICES

Explain whether or not the following are available, how the project will affect services, and if services are within reasonable proximity to meet the needs of the project: (Provide a map indicating the location of each to the project site and attach additional pages as necessary.)

Emergency & Non-emergency Health Care Services:

Police Services:

Fire Protection Services:

Parks, Playgrounds & Open Spaces:

Pedestrian & Bike Paths/Trails:

Streets/Roads, Parking Areas/Facilities & Traffic Control Measures:

Public Transportation (taxi cab, bus, OATS, etc.)

CDBG ENVIRONMENTAL ASSESSMENT

Information may be found in the CDBG Environmental review Manual, by contacting the city or county, local regional planning commission/council of government, or at the following websites:

<http://www.dfs.dps.mo.gov/FD%20list%20county.pdf> – Missouri Fire Departments

<http://www.the911site.com/911pd/missouri.shtml> - Missouri Emergency Services

<http://www.mocounties.com/> - Missouri Association of Counties

<http://www.mocities.com/default.asp?javascript=1> – Missouri Municipal League

<http://macog.mo-acte.org/> - Missouri Association of Councils of Government

<http://www.smartgrowth.org/default.asp> - Smart Growth website

<http://mobikefed.org/motrails.php> - Missouri Bicycle Federation

http://www.modot.mo.gov/othertransportation/bike_ped/Bikepedprogramintro.htm - MODOT Bicycle and Pedestrian Program

<http://www.trailnet.org/> - Trailnet

<http://www.moga.state.mo.us/STATUTES/C304.HTM> - MO Statutes on Traffic Regulations

<http://www.modot.org/othertransportation/transit/rptransportation.htm> - MODOT - Rural Public Transportation

<http://www.mptaonline.com/missionstatement.shtml> - Missouri Public Transit Association

<http://www.oatstransit.org/> - OATS website

CDBG ENVIRONMENTAL ASSESSMENT

WASTEWATER

1. Is there an existing or planned wastewater collection and treatment system adequate to serve the project? Explain. (Information should come from the wastewater superintendent or project engineer.) ☐ YES ☐ NO
2. If a wastewater collection and treatment system is planned as part of the project, provide system specifications (Refer to preliminary engineering design.): ☐ N/A – not included in the project.
3. If on-site sewage systems are planned, are lot sizes and soils suitable for this use? Explain. ☐ YES ☐ NO ☐ N/A – not included in the project.

Information may be found in the CDBG Environmental Resource Manual, by contacting the wastewater superintendent or project engineer for more information, and at the following websites:

<http://www.dhss.mo.gov/Onsite/> - Dept. of Health & Human Services - Onsite Sewage

<http://www.epa.gov/OWM/mab/smcomm/index.htm> - EPA – Small Communities - Office of Wastewater Management

<u>CDBG ENVIRONMENTAL ASSESSMENT</u>	
<u>SOLID WASTE</u>	
1. If construction, rehabilitation, or demolition activities are planned, will the existing waste disposal system adequately service the proposed project?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
2. If yes to the above, explain the types of waste expected as part of construction debris.	<input type="checkbox"/> N/A
3. What types of solid waste will the completed project generate?	<input type="checkbox"/> N/A
4. Is solid waste permitting currently required or will the completed project be required to obtain solid waste permitting? (Attach permit documentation.)	<input type="checkbox"/> YES <input type="checkbox"/> NO
5. Will owners or renters of the proposed project be required to pay costs for disposal services?	<input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A
If yes, will this create a financial hardship? If yes, explain.	<input type="checkbox"/> YES <input type="checkbox"/> NO
6. What is the name of the servicing landfill and how far is it from the project site?	
7. Are there any landfills in proximity to the project area that could adversely affect the environment in or around the project site? Explain.	<input type="checkbox"/> YES <input type="checkbox"/> NO
<p>Information about Solid Waste may be found in the CDBG Environmental Resource Manual and at the following websites:</p> <p>http://www.dnr.mo.gov/env/swmp/facilities/permittedfacilities.htm - DNR Permitted Solid Waste Facilities</p> <p>http://www.dnr.mo.gov/env/swmp/swmd/swmdinfo.htm - DNR Solid Waste Management Districts – Contact Information</p> <p>http://www.dnr.mo.gov/env/swmp/forms/form_permit.htm - DNR forms & permitting</p>	

CDBG ENVIRONMENTAL ASSESSMENT

STORM WATER DRAINAGE

1. Is there an existing storm water drainage system adequate to serve the project? (contact the public works superintendent, project engineer, or other qualified individual) ☐ YES ☐ NO

2. If no storm water drainage system exists, describe if the project will promote storm water run-off, the impact, and how it will be dealt. ☐ N/A

3. Does the proposed project involve the construction or improvement of a storm water drainage system? If yes, describe specifications proposed for the system. ☐ YES ☐ NO

National Pollutant Discharge Elimination System Permit:

4. The [national](#) and [state](#) storm water regulations now require certain small communities to obtain a National Pollutant Discharge Elimination System (NPDES) permit. There are approximately [154 Missouri communities](#) affected by these [Phase II](#) storm water regulations. These small communities with Municipal Separate Storm Sewer Systems (MS4s) were required to obtain a NPDES permit by March 10, 2003. The permit requires these regulated MS4s to have their storm water management program in place by March 10, 2008. The program must address six minimum control measures.

For more information, access the following websites:

<http://www.dnr.mo.gov/env/wpp/stormwater/sw-local-gov-programs.htm#overview> –DNR - Small Municipal Separate Storm Sewer Systems (MS4s) Programs

<http://www.dnr.mo.gov/env/wpp/stormwater/sw-phaseii-communities.pdf> - DNR - List of communities affected by Phase II storm water regulations

<http://www.dnr.mo.gov/env/wpp/stormwater/index.html> - DNR Storm Water Information Clearinghouse

If your community is one listed as affected by [Phase II](#) storm water regulations, attach evidence that your community is in receipt of the NPDES Permit. Include the community's plan for a storm water drainage program and explain progress toward implementation of the required program.

Storm Water information may be found in the CDBG Environmental Resource Manual.

CDBG ENVIRONMENTAL ASSESSMENT

LEAD BASED PAINT

(24 CFR Part 35)

Lead based paint requirements apply to all HUD-assisted rehabilitation, residential, commercial, and public facility projects, where young children will reside over 100 days, or spend more than 10 hours per week. Lead-based paint is defined by statute as paint with a lead concentration of 1 milligram per square centimeter, or 0.5 percent by weight. Hazards can be in the form of paint chips, child-accessible (and therefore chewable) painted surfaces, friction surfaces of windows and doors, lead contaminated dust, and lead contaminated soil. If lead based paint hazards are identified, lead based paint treatments and lead safe work practices must be implemented. The Missouri Department of Health and Senior Services (DHSS), Section for Environmental Public Health (SEPH), Lead Licensing Program under authority of RSMO 701.300-701.338, governs the licensure of lead abatement personnel, enforces work practice standards for lead inspections, risk assessments, and lead abatement projects and accredits lead training courses in Missouri.

1. Does the project involve rehabilitation of any structures built prior to January 1, 1978? ☐ YES ☐ NO
2. If yes, are children under 6 years old anticipated to reside over 100 days or spend over 10 hours a week in the project structure? ☐ YES ☐ NO ☐ N/A
3. If yes, does a field observation reveal any deteriorated paint, exterior and interior, such as cracking, peeling and chipping? ☐ YES ☐ NO ☐ N/A
(Pay particular attention to friction areas like doors and windows, and assess if paint has made contact with soil.) (Attach field observation documentation.)
4. If yes to all of the above questions, lead paint testing is required for deteriorated paint surfaces and paint surfaces that will be disturbed. *Missouri Licensed Lead Professionals, licensed through the Missouri Department of Health and Senior Services (DHSS) must be hired.* Comply with all DHSS requirements.

If CDBG funds are proposed to pay for lead testing, treatment, and/or abatement, CDBG procurement methods apply.

Attach all support documentation regarding lead testing, treatment, and/or abatement.

Lead Based Paint information may be found in the CDBG Environmental Resource Manual and at the following websites:

<http://www.hud.gov/offices/lead/leadsaferule/summary.cfm> - HUD - Lead Safe Rule
<http://www.dhss.mo.gov/Lead/ListofMissouriLeadProfessionals.html> -MO Licensed Lead Professionals
<http://www.moga.mo.gov/STATUTES/C701.HTM> - RSMO 701.300-701.338
<http://www.dhss.mo.gov/ChildhoodLead/> - Childhood Lead Poisoning Prevention
<http://www.osha.gov/SLTC/lead/index.html> - OSHA - Lead
<http://www.epa.gov/lead/pubs/interiorfinal2.pdf> -EPA Lead-Based Paint Pre-Renovation Education Rule
<http://www.epa.gov/lead/index.html> - EPA Lead in Paint, Dust, and Soil
<http://www.hud.gov/offices/lead/leadstatutes.cfm> - HUD Lead Statutes
<http://www.hud.gov/offices/lead/leadreferencelibrary.cfm> - HUD Lead Reference Library
http://www.hud.gov/offices/lead/leadsaferule/title24_whole.pdf - HUD Lead Safe Rule 24 CFR

CDBG ENVIRONMENTAL ASSESSMENT

ASBESTOS

(40 CFR 61, Sub

Asbestos requirements apply to all HUD-assisted projects involving demolition and rehabilitation of regulated structures. The Missouri Department of Natural Resources (DNR) is a delegated agency of the Environmental Protection agency (EPA) for the purposes of administering 40 CFR Part 61, Subpart M, *The National Emission Standard for Asbestos*, the asbestos NESHAP. This regulation contains requirements for asbestos inspection, project notification, emission control procedures for asbestos removal, and asbestos waste disposal. The DNR regulates demolition and renovation projects involving institutional, commercial, public, industrial, or residential structures, installations or buildings.

In addition to the requirements of the federal asbestos NESHAP, the DNR also has additional State regulations that govern asbestos activities. These regulations include requirements for trained and registered contractors to perform asbestos abatement work. These regulations also ensure that individuals that perform asbestos inspections, and who design and work on asbestos abatement projects, are properly trained and certified through accredited training providers. DNR regulations governing asbestos can be found at 10 CSR 10-6.241 and 10 CSR 10-6.250.

The United States Occupational Safety and Health Administration (OSHA) requirements are in place to ensure the protection of workers who must work with or around asbestos containing materials. Projects involving structures with asbestos containing materials, whether or not regulated by DNR, must be performed in accordance with all applicable OSHA requirements.

Does the project involve demolition or rehabilitation of residential or commercial structures? ☐ YES ☐ NO

If yes, a *Missouri Certified Asbestos Inspector, certified by DNR, must be hired* to perform a thorough asbestos inspection identifying the quantity, type, condition, and location of asbestos containing materials. Comply with DNR reporting requirements. If friable asbestos containing materials are present requiring abatement, a *Missouri registered asbestos abatement contractor must be hired*.

If CDBG funds are proposed to pay for asbestos inspection and/or abatement, CDBG procurement methods will apply.

Attach all support documentation regarding asbestos inspection and/or abatement.

Asbestos information may be found in the CDBG Environmental Resource Manual and at the following websites:

http://www.access.gpo.gov/nara/cfr/waisidx_02/40cfr61_02.html - 40 CFR Part 61

<http://www.sos.mo.gov/adrules/csr/current/10csr/10c10-6a.pdf> - 10 CSR 10-6.241 & 10-6.250

<http://www.dnr.mo.gov/alpd/apcp/Asbestos.htm> - DNR Asbestos Information

<http://www.dnr.mo.gov/pubs/pub2157.pdf> - Asbestos Requirements for Demolition & Renovation

<http://www.dnr.mo.gov/pubs/pub2156.pdf> - Management of Non-Friable Asbestos Containing Materials

<http://www.epa.gov/asbestos/> - EPA – Asbestos

<http://www.osha.gov/> - OSHA

CDBG ENVIRONMENTAL ASSESSMENT

CITIZEN PARTICIPATION

Indicate how residents of the area have been, or are planned to be, informed of the proposed project and its potential environmental impacts. (Public hearings and meetings, published notices including the affidavit of publication or actual newspaper, and posted notices certified by the chief elected official, newspaper articles (copies or original articles), printed website information, etc.) Attach all supporting documentation.

PROJECT ALTERNATIVES AND MODIFICATIONS

1. Indicate ALL alternative project activities, sites, designs, plans, etc. considered and how the determination was made to implement the chosen alternative. (Reference to the preliminary engineering or architectural report may be helpful.)

2. Explain how modifications will be implemented in the course of the project to enhance environmental quality and reduce potential adverse environmental impacts.

GUIDELINES FOR COMPLETING THE NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

The language in the Notice of Intent To Request Release of Funds is recommended by CDBG. This Notice is used to request the environmental release of funds for Categorically Excluded projects (24 CFR Part 58, Section 58.35(a)) or for projects for which a Notice of Finding of No Significant Impact was previously issued. Specific Grantee information is to be inserted where words are bolded and italicized.

The seven-day local comment period is the minimum time period required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to the State. The Grantee may choose to allow a longer comment period. The fifteen-day State objection period is a statutory requirement. The objection period follows the submission date specified in the Notice, or the actual date of receipt by the State, whichever is later.

NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Date of Publication: *(date published)*

Expires: *(date 7 days after date of publication)*

Grantee

Address (e.g., Street No. or PO Box)

City, State, Zip Code

Telephone Number of Grantee

On or after *insert date at least one day after the end of the comment period*, **Grantee** will submit a request to the State of Missouri for the release of Federal Funds from the Community Development Block Grant Program under Title I of the Housing and Community Development Act of 1974 (PL 93-383) to undertake the following project:

Project Title: *project title*

Purpose: *nature/scope of project*

Location: *project location*

Estimated Cost: *estimated funding (include other agency funding sources if applicable)*

The activities proposed are categorically excluded under HUD regulations at 24 CFR Part 58 from National Environmental Policy Act (NEPA) requirements. An Environmental Review Record (ERR) that documents the environmental determinations for this project is on file at *name and address of Grantee office where ERR can be examined and name and address of other locations where the record is available for review* and may be examined or copied weekdays AM to PM.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the **Grantee designated office responsible for receiving and responding to comments**. All comments received by **publication date plus seven days** will be considered by **Grantee** prior to authorizing submission of a request for release of funds.

RELEASE OF FUNDS

Grantee certifies to the State of Missouri that *name of Certifying Officer* in *his/her* capacity as **Official Title** consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State of Missouri's approval of the certification satisfies its responsibilities under NEPA and related laws and authorities and allows **Grantee** to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

The State of Missouri will accept objections to its release of fund and **Grantee's** certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request

(whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of *Grantee*; (b) the Grantee has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the Grantee or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the State. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to the Missouri Department of Economic Development, CDBG Program, PO Box 118, Jefferson City, MO 65102.

Name and Title of Certifying Officer

Grantee Address

EARLY PUBLIC NOTICE

To: All Interested Agencies, Groups, & Individuals

The *City/County* of *city/county name*, Missouri is proposing to *indicate name of project, address/location, and describe all project activities*. The project will involve *the amount of land/property* located in the 100-year floodplain and wetland. The *City/County* is interested in discussing alternatives to this project and securing public perceptions of possible adverse impacts that could result from the project and possible mitigation measures. This notice is required by Section 2(a)(4) of Executive Order 11988 for floodplain management and Section (b) of Executive Order 11990 for protection of wetlands, and is implemented by HUD Regulations found at 24 CFR 55.

Written comments must be received by *month/date/year* at the following address: *Contact Person, complete address*.

Name of Mayor/Presiding Commissioner

***Note:** The Early Public Notice must allow a 15-day comment period from the date of publication *prior* to publishing the Combined Notice and Notice of Explanation.

NOTICE OF EXPLANATION

To: All Interested Agencies, Groups, & Individuals

The **City/County** of **City/County name**, Missouri intends to undertake *indicate name of project, address/location, and describe all project activities*. This project is needed because *indicate need for project*. This project is located in the 100-year floodplain and wetland. The project cannot be undertaken in any other location because *indicate why this is the best alternative*. The following alternatives were considered: *(If there were no other alternatives, indicate this and explain why)*.

- 1.
- 2.
- 3.

The **City/County** has determined that it has no practicable alternative other than that stated above. This activity will have no significant impact on the environment for the following reasons:

- 1.
- 2.
- 3.

The proposed project is designed to minimize adverse impacts and preserve the natural floodplain and wetland. The **City/County** has conducted an evaluation as required by Executive Order 11988 and 11990 in accordance with HUD regulations at 24 CFR 55.20 to determine the potential affect that activities in the floodplain and wetland will have on the environment.

Written comments must be received by *month/date/year* at the following address: **Contact Person and complete address**.

Name of Mayor/Presiding Commissioner

***Note:** The Notice of Explanation must allow a 7-day comment period from the date of publication and may be published in conjunction with the Combined Notice that allows a 15-day comment period.

GUIDELINES FOR COMPLETING THE COMBINED NOTICE

The language in the Combined Notice is recommended by CDBG. This Notice is used for projects requiring an Environmental Assessment (24 CFR Part 58, Section 58.36). Specific Grantee information is to be inserted where words are ***bolded and italicized***. If there is more than one Grantee, list them all. For instance, in the case of multi-jurisdictional projects there is typically a lead grantee and other participating grantees. If all are included in the project, then all should be listed in the notice.

The fifteen-day public comment period is the minimum time period required by regulation prior to submission of a Request for Release of Funds and Certification (form HUD-7015.15) to the State. The Grantee may choose to allow a longer comment period. 24 CFR Part 58 requires, at Section 58.46, “time delays for exceptional circumstances,” a 30-day comment period for controversial or unique projects or those similar to projects normally requiring preparation of an Environmental Impact Statement. The fifteen-day objection period is a statutory requirement. The objection period follows the submission date specified in the Notice, or the actual date of receipt by the State, whichever is later.

COMBINED NOTICE

NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST A RELEASE OF FUNDS

Date of Publication: *(date published)*

Expires: *(date 15 days after date of publication)*

Grantee

Address (e.g., Street No. or PO Box)

City, State, Zip Code

Telephone Number of Grantee

These notices shall satisfy two separate but related procedural requirements for activities to be undertaken by the *name of grantee(s)*.

REQUEST FOR RELEASE OF FUNDS

On or after *insert date at least one day after the end of the comment period*, **Grantee** will submit a request to the State of Missouri for the release of Federal funds from the Community Development Block Grant Program under Title I of the Housing and Community Development Act of 1974 (PL 93-383) to undertake the following project:

Project Title: *project title*

Purpose: *nature/scope of project*

Location: *project location including City, County, and State*

Estimated Cost: *estimated funding (include other agency funding sources if applicable)*

FINDING OF NO SIGNIFICANT IMPACT

Grantee has determined that the project will have no significant impact on the human environment. Therefore, an Environmental Impact Statement under the National Environmental Policy Act of 1969 (NEPA) is not required. Additional project information is contained in the Environmental Review Record (ERR) on file at *name and address of Grantee where ERR can be examined and name and address of other locations where the record is available for review* and may be examined or copied weekdays AM to PM.

PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the ERR to the **Grantee designated office responsible for receiving and responding to comments**. All comments received by *publication date plus fifteen days* will be considered by **Grantee** prior to authorizing submission of a request for release of funds. Comments should specify which Notice they are addressing.

RELEASE OF FUNDS

Grantee certifies to the State of Missouri that *name of Certifying Officer* in *his/her* capacity as **Official Title** consents to accept the jurisdiction of the Federal Courts if an action is brought to enforce responsibilities in relation to the environmental review process and that these responsibilities have been satisfied. The State Of Missouri's approval of the certification satisfies its responsibilities under

NEPA and related laws and authorities and allows *name of grant recipient* to use HUD program funds.

OBJECTIONS TO RELEASE OF FUNDS

The State of Missouri will accept objections to its release of funds only if they are on one of the following bases: (a) the certification was not executed by the certifying officer of *Grantee*; (b) the Grantee has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR Part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by the State of Missouri. Objections to the release of funds must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, sec. 58.76) and shall be addressed to the Missouri Department of Economic Development, CDBG Program, PO Box 118, Jefferson City, MO 65102.

Objections to the release of funds on basis other than those stated above will not be considered by the State. Objections must be submitted within 15 days following the receipt of the Request For Funds by the State.

Name and Title of Certifying Officer

Grantee Address

DISTRIBUTION LIST FOR ENVIRONMENTAL NOTICES

In general, environmental notices should be sent to all interested parties, including:

- Local News Media
- Individuals and groups interested in your activities
- EPA Regional Offices
- Missouri Division of Environmental Quality
- State Historic Preservation Officer
- Other state and federal agencies, as appropriate

Following is a list of the names and addresses of state and federal agencies most likely to be appropriate for environmental notification. Those marked with one asterisk (*) must receive all public notices. If the project is located within the 100-Year Flood Plain, the agency marked with a double asterisk (**) must receive notice in addition to the previous required agencies.

*U.S. Environmental Protection Agency, Region VII
901 N 5th Street
Kansas City, KS 66101
Phone: 913-551-7003

*State Historic Preservation Office
Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102
Phone: 573-751-7858

*Missouri Department of Natural Resources
PO Box 176
Jefferson City, MO 65102
Phone: 573-522-8796

Attn: (send Environmental Notices to **all** DNR division,
units, offices who may have an interest in the project)

**U.S. Army Corps of Engineers
MO River Region HQ
12565 W. Center Road
Omaha, NE 68144
Phone: 402-697-2533

**U.S. Fish and Wildlife Service
Region 3 Ecological Field Office
101 Park DeVille Drive, Suite A
Columbia, MO 65203
Phone: 573-234-2132

**Federal Emergency Mgmt. Agency
Region VII
2323 Grand Blvd., Suite 900
Kansas City, MO 64108
Phone: 816-283-7061

INSTRUCTIONS FOR COMPLETING THE REQUEST FOR RELEASE OF FUNDS & CERTIFICATION FORM (RROF&C)

PART 1 – PROGRAM DESCRIPTION AND REQUEST FOR RELEASE OF FUNDS

Box 1 – Program Title(s): Community Development Block Grant (CDBG)

Box 2 – HUD/State Identification Number: For projects that have been awarded funding, indicate the CDBG assigned project number (Ex. 2005-PF-01). For proposed projects, leave this area blank.

Box 3 – Recipient Identification Number: No entry is required. However, the Grantee may use this space for internal filing purposes.

Box 4 – OMB Catalog Number(s): Enter the designated number for the CDBG Program – CFDA No. 14.228.

Box 5 – Name & Address of the Responsible Entity: Name & address of the Grantee (city or county)

Box 6 – For Information about this request, contact name & telephone number: Enter the name of the person to contact concerning questions about this form and the environmental review for the project. This may be the grantee, but is commonly the person who completed the environmental review process.

Box 7 – Name & Address of Recipient (if different than responsible entity): This may be left blank as the grantee is the responsible entity and is indicated in Box 5.

Box 8 – HUD or State Agency and Office Unit to Receive Request: State of MO Department of Economic Development, CDBG Program

Box 9 – Program Activity/Project Name: Enter the name of the project/activity for which the request for release of funds is being submitted.

Box 10 – Location (Street address, city, county, & State): Enter the complete location of the project.

Box 11 – Program Activity/Project Description: Enter a complete description of all activities for which the form pertains.

PART 2 – ENVIRONMENTAL CERTIFICATION (TO BE COMPLETED BY RESPONSIBLE ENTITY)

No. 3 – Check one of the boxes. The second box is the box that is usually checked.

Signature of Certifying Officer & Responsible Entity – Insert the name of the Mayor or Presiding Commissioner or whomever is the chief elected official for the grantee. This should correspond with whomever signs the grant agreement, otherwise known as the Funding Approval. The Certifying Officer is attesting to the grantee's compliance with HUD/CDBG environmental review procedures (24 CFR Part 58).

PART 3 – TO BE COMPLETED WHEN THE RECIPIENT IS NOT THE RESPONSIBLE ENTITY

Signature of Authorized Officer of the Recipient: For purposes of the CDBG program, this area does not apply, as the recipient and the responsible entity are one in the same.

Request for Release of Funds and Certification

U.S. Department of Housing
and Urban Development
Office of Community Planning
and Development

OMB No. 2506-0087
(exp. 12/31/2007)

This form is to be used by Responsible Entities and Recipients (as defined in 24 CFR 58.2) when requesting the release of funds, and requesting the authority to use such funds, for HUD programs identified by statutes that provide for the assumption of the environmental review responsibility by units of general local government and States. Public reporting burden for this collection of information is estimated to average 36 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless that collection displays a valid OMB control number.

Part 1. Program Description and Request for Release of Funds (to be completed by Responsible Entity)

1. Program Title(s)	2. HUD/State Identification Number	3. Recipient Identification Number (optional)
4. OMB Catalog Number(s)	5. Name and address of responsible entity	
6. For information about this request, contact (name & phone number)		
8. HUD or State Agency and office unit to receive request	7. Name and address of recipient (if different than responsible entity)	

The recipient(s) of assistance under the program(s) listed above requests the release of funds and removal of environmental grant conditions governing the use of the assistance for the following

9. Program Activity(ies)/Project Name(s)	10. Location (Street address, city, county, State)
11. Program Activity/Project Description	

Part 2. Environmental Certification (to be completed by responsible entity)

With reference to the above Program Activity(ies)/Project(s), I, the undersigned officer of the responsible entity, certify that:

1. The responsible entity has fully carried out its responsibilities for environmental review, decision-making and action pertaining to the project(s) named above.
2. The responsible entity has assumed responsibility for and complied with and will continue to comply with, the National Environmental Policy Act of 1969, as amended, and the environmental procedures, permit requirements and statutory obligations of the laws cited in 24 CFR 58.5; and also agrees to comply with the authorities in 24 CFR 58.6 and applicable State and local laws.
3. After considering the type and degree of environmental effects identified by the environmental review completed for the proposed project described in Part 1 of this request, I have found that the proposal ☐ did ☐ did not require the preparation and dissemination of an environmental impact statement.
4. The responsible entity has disseminated and/or published in the manner prescribed by 24 CFR 58.43 and 58.55 a notice to the public in accordance with 24 CFR 58.70 and as evidenced by the attached copy (copies) or evidence of posting and mailing procedure.
5. The dates for all statutory and regulatory time periods for review, comment or other action are in compliance with procedures and requirements of 24 CFR Part 58.
6. In accordance with 24 CFR 58.71(b), the responsible entity will advise the recipient (if different from the responsible entity) of any special environmental conditions that must be adhered to in carrying out the project.

As the duly designated certifying official of the responsible entity, I also certify that:

7. I am authorized to and do consent to assume the status of Federal official under the National Environmental Policy Act of 1969 and each provision of law designated in the 24 CFR 58.5 list of NEPA-related authorities insofar as the provisions of these laws apply to the HUD responsibilities for environmental review, decision-making and action that have been assumed by the responsible entity.
8. I am authorized to and do accept, on behalf of the recipient personally, the jurisdiction of the Federal courts for the enforcement of all these responsibilities, in my capacity as certifying officer of the responsible entity.

Signature of Certifying Officer of the Responsible Entity

Title of Certifying Officer

Date signed

X

Address of Certifying Officer

Part 3. To be completed when the Recipient is not the Responsible Entity

The recipient requests the release of funds for the programs and activities identified in Part 1 and agrees to abide by the special conditions, procedures and requirements of the environmental review and to advise the responsible entity of any proposed change in the scope of the project or any change in environmental conditions in accordance with 24 CFR 58.71(b).

Signature of Authorized Officer of the Recipient

Title of Authorized Officer

Date signed

X

Warning: HUD will prosecute false claims and statements. Conviction may result in criminal and/or civil penalties. (18 U.S.C. 1001, 1010, 1012; 31 U.S.C. 3729, 3802)

PRE-GRANT AWARD ENVIRONMENTAL APPROVAL

(Date)

The Honorable (Name)

(Mayor/Presiding Commissioner)

Address

City, MO **Zip**

RE: Pre-Grant Award Environmental Approval

Dear (Name Chief Elected Official):

Our office received the Request For Release of Funds & Certification, form HUD-7015.15, on **(date)**. The Environmental Review for **(name/description of proposed project)** has been reviewed and approved by this office. Consider this notice authorization to initiate actions and/or expend funds on behalf of the CDBG private investment match requirement effective **(date)**.

This notice in no way commits or guarantees CDBG funds for use in this proposed project, nor does it authorize you to commit CDBG funds for any portion of this proposed project.

Should the abovementioned project be awarded CDBG funding, this notice will serve as the Authority to Use Grant Funds/Completion of Environmental Requirements. Please file this notice in the Environmental Review Record for proper record keeping, audit, and inspection purposes.

Sincerely,

Jo Ann Dent
Environmental Review Officer
Missouri CDBG Program

C:



COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

AUTHORITY TO USE GRANT FUNDS

COMPLETION OF ENVIRONMENTAL REVIEW REQUIREMENTS

GRANTEE	PROJECT #
<p>Date Request for Release of Funds and Certification, form HUD-7015.15 received: _____</p> <p>All objections, if received, have been considered and the minimum comment period has expired.</p>	
<p>The Grantee is hereby authorized to use CDBG funds awarded for the above-referenced project. File this form in the Environmental Review Record for proper record keeping, audit, and inspection purposes.</p>	
EFFECTIVE DATE OF RELEASE	ENVIRONMENTAL REVIEW OFFICER MO DEPARTMENT OF ECONOMIC DEVELOPMENT CDBG PROGRAM